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THE IRISH ECCLESIASTICAL RECORD

AN AMAZING DOCUMENT

BY REV. PATRICK J. GANNON, S.J.

IN their pronouncement of April 26, 1922, the Irish Bishops stated : ' Not only have Catholics been denied for over twenty months their natural right to earn their daily bread and thrown upon the charity of the world, but they are subjected to a savage persecution, which is hardly paralleled by the bitterest sufferings of the Armenians. Every kind of persecution, arson, destruction of property, systematic terrorism, deliberate assassination, and indiscriminate murder reigns supreme.' This is a very grave indictment. But no Catholic Episcopate is likely to indulge in exaggeration on such an occasion ; and certainly nothing known to the Irish public tends to soften one word of it. Yet the heads of the non-Catholic bodies in the North saw fit to issue a formal denial of the accusation, in a document which was an apologia for the Northern Government, and—stranger still!—a quasi-apologia for the pogromists. Characteristically enough it is couched in the *Es ist nicht wahr* form of the notorious letter signed by the German professors in defence of the Fatherland, and it is still less convincing. The signatories are Dr. D'Arcy, Protestant Archbishop of Armagh, Dr. Grierson, Protestant Bishop of Down and Connor, Dr. Lowe, Moderator of the Presbyterian General Assembly, and Rev. W. H. Smyth, President of the Methodist Conference.

It is not true [they inform us] that Roman Catholics have been denied their natural right to earn their daily bread. The shipyard workers

did not exclude any man because of his religion. A reign of terror was organized by gangs of gunmen, who encamped in certain quarters of the city of Belfast, made war upon its people, throwing bombs into tramcars full of workers, and savagely shooting down men, women and children. This was an attempt to intimidate the loyalists. It is not true that able-bodied Protestants are supplied with arms to harass their Roman Catholic neighbours. The Northern Government is showing itself quite impartial in its efforts to put down all illegal use and carrying of arms. The fact is that the trouble in Belfast is political and not religious. It is an effort to paralyse the Northern Government. Speaking for the clergy and people of the Churches we represent, we can conscientiously affirm that we and our people are, and have been, doing everything in our power to prevent the struggle from becoming a religious one. We deeply regret the fact that there have been reprisals. It is not an easy thing for a powerful majority to submit tamely to such treatment at the hands of an aggressive minority. But we have done everything in our power to prevent the dreadful competition in evil which is the inevitable consequence of reprisals. Special services and public meetings have been held for the express purpose of denouncing murder, by whomsoever committed, and of warning against rendering evil for evil. As to the Northern Government, it has shown in many ways its earnest desire that Roman Catholics should have their full share in the public and private life of Northern Ireland. It has offered them many appointments. It is ready to give them more than their share in its police forces. It is eagerly anxious that they should claim and enjoy equal rights with all others in the citizenship of Northern Ireland.

The Catholic Defence Committee issued a rejoinder to this rejoinder, and the controversy stopped there. No doubt the world is somewhat weary of statement and counter-statement about Belfast. The very aim of a propaganda against truth is to confuse issues, weary inquiry, and cause outsiders to exclaim, 'A plague upon both your houses!' One can sympathize with outsiders. But to weary of sifting assertions in such a case is to be false to the cause of truth and justice. Further, it is to render possible the continuance of the horrors. It permits the smoke-screen to remain undissipated behind which murder is done. The 'Loyalist' Press of Belfast has consistently misrepresented the situation by every device known to insincere journalism. Perhaps the reverend signatories have confined their reading to the *Belfast Telegraph*, *News-Letter* or *Northern Whig*, and thus have arrived at wrong conclusions. We must surely attribute the errors in the document of gentlemen in their position to the sources, not to the writers. But the errors are many.

For, first of all, the Catholic minority might be supposed to know whether they are persecuted or not, and wherefore. It is not likely they live in a transcendental illusion on the point. And they certainly believe, with singular unanimity, that they are the victims of the bitterest bigotry in the civilized world of to-day. They are not ignorant that politics play a part and capitalism likewise. But they are deeply conscious that the politicians and the capitalists exploit the incurable bigotry of the Orange masses for their own ends. If the motives of the wire-pullers behind the scenes have only an indirect relation to sectarianism, the mobs, which move upon Catholic quarters to burn, loot, and slay, are certainly inspired with a sixteenth-century fanaticism. For them all Catholics are enemies, whatever be their political views. Religion is the colour-line of Belfast. It has been so from the foundation of the city and is so to-day. There is a consensus of opinion on this point among men of very different political affinities. And in no part of the world will the statement of Dr. D'Arcy and his companions be received with more surprise than in the Falls Road or Seafood Street area.

It will surprise the expelled workers to learn that it was only on account of their sympathy with disloyalty and crime they were driven from the shipyards. For 1,000 of those expelled were ex-soldiers, who fought for England in the Great War. Was this disloyalty? The vast majority of the whole Catholic community were followers of Mr. Devlin, recruiter, constitutionalist, and even, it would appear, convinced imperialist. Yet all were indiscriminately driven from their work without any option of any kind. When the English trades unions, several weeks later, were pressing for their reinstatement, then, and not till then, did some brilliant strategist discover a means of parrying the blow by the invention of a test, which was in effect a 'crawling order' that no self-respecting man would sign, no matter what views he held about crime.

The ruse succeeded, and none of the expelled have been

restored. Further, Sir James Craig solemnly approved of what the Orange workers had done.¹ On what principle were the victims selected, when ex-service men, and Devlinites, and men who never took part in politics were mobbed from the yards, flung into the Lagan or shot down, and their homes burned to the number of over 200 in the first few weeks, while no Protestant's home went up in flames? Yet the signatories seriously tell us: 'The fact is that the trouble in Belfast is political not religious.' Even if it were so, it is surely strange ethics that for political opinions men may be mobbed from their employment, drowned or shot in riots, or finally, visited at midnight and murdered in cold blood.

But I forgot. 'A reign of terror was organized by gangs of gunmen, who encamped in certain quarters of the city of Belfast, made war upon its people, throwing bombs into tramcars full of workers, and savagely shooting down men, women and children.'

There is a very grave *suggestio falsi et suppressio veri* here, which is, no doubt, again due to the sources. It is suggested that the warfare began by the wicked designs of an aggressive minority to harry and oppress a powerful majority. Abstracting, for a moment, from the great inherent improbability in this, an improbability not lessened for us by a single shred of proof, the question arises where were these mythical gunmen on July 21, 1920? Were they holding the 200 houses burned down? If so, they must have been poor marksmen. Were they in the shipyards? How was it then that they were flung into the Lagan, or kicked and cruelly beaten? Aggressive gunmen do not contribute the majority of the casualties—as a rule. Two bombs were flung into trams full of workers who had carried out the pogroms. But the reverend signatories give no dates—a significant omission—and quite suppress the fact that these dreadful deeds were done only after Catholic quarters, Catholic homes, churches, convents

¹ 'Do I approve of the action you boys have taken in the past? I say, "Yes."' Speech in Queen's Island, Belfast, Oct. 14, 1920.

and individuals had been systematically bombed for over four months. Another bomb flung from Seaford Street was only a reply to one flung into Seaford Street. According to one account it was the very same bomb, picked up quickly and flung back into the Orange crowd assailing the area. Now, surely these facts have a bearing upon the relative guilt of the parties. Or is it Pure Gospel morality that men at whom a bomb is flung are guilty if they return the bomb, or even another one. Are the Catholic minority aggressive if they defend their lives, their homes, their children and their wives? Are the powerful majority to be practically excused, or even lauded for their great patience, as lay apologists have ventured to do, because they suddenly and simultaneously, over many areas, sweep in overwhelming force upon the isolated patches of slumdom into which the policy of boycott and systematic impoverisation has pent up the Catholics, to loot, shoot, burn and destroy? It is bewildering logic truly!

‘It is not true that able-bodied Protestants are supplied with arms to harass their Roman Catholic neighbours.’ But are the 30,000 ‘Specials’ not able bodied, or not Protestants, or not armed? And whether they were armed for the purpose of harrying or not, that is what they are doing, as the Catholics know to their cost. The charge has been made again and again, categorically, with names, in some instances, supplied to the ‘impartial’ Northern Government, who have steadily resisted repeated and insistent demands for an inquiry. Are Catholics to be blamed if they fail to see the impartiality?

‘It is an effort to paralyse the Northern Government.’ But the pogroms were in operation for a full year before the Northern Government came into being. They must be strange criminals, who set out to paralyse a non-existent government. And equally strange, if, when it did come into existence, they chose Belfast for the scene of operations, where they were outnumbered three to one, surrounded in narrow areas, and lost in a large city of foes. Why did they not select as the theatre of their iniquities

Tyrone, Fermanagh, South Down, or South Armagh? It is all passing wonderful, but must be true when the four heads of three religious bodies solemnly assure us it is so.

The signatories conclude by conscientiously affirming that they and their people had done all in their power to prevent the struggle from becoming a religious one. It would seem, therefore, that their preoccupation was merely to turn religious pogroms into political ones. I suppose on the principle of choosing the lesser of two evils. Why not do all in their power to stop the whole ghastly business, whether political or not?

They dwell upon their pious endeavours, by meetings of denunciation and warnings against returning evil for evil, to prevent murder. But again there is a vagueness as to dates. When did they hold these meetings, when did they exhort their flocks to turn the other cheek to the aggressive minority? This question needs answering. Did they do so in July, 1920, at the beginning of the troubles? When after two years of Belfast butcheries Southern Ireland was horrified by the hideous Cork murders there was an immediate and vehement explosion of repudiation, which, it is sincerely to be hoped, will end this competition in crime. Were the reverend signatories equally prompt? Catholic Ireland will be pleased and edified to learn exactly what steps were taken by Protestant opinion in Belfast to bring the shipyard workers to a sense of justice, or the *pétroleurs* to reason, from July to December, 1920, or from January till December, 1921. Because the Press has preserved an inexplicable silence on the point. It is true that, towards the end of 1921, when the scandal had become world-wide, and when a demoralized wastrelhood was finding its way in raids of ever growing impartiality out to the rich villas where the Belfast magnates dwell, then certainly the Episcopalian and Non-Conformist conscience took alarm.

But up till that, again I ask, what clear and definite action was taken by clergy or laity to maintain the elementary principles of Christian morality or European civilization? And when they did take alarm, did they use any

very vehement endeavour to induce the Northern Government to grant the inquiry demanded into the bombing of children in Weaver Street, or the murder of the McMahon family, or the Stanhope Street atrocity, or, later again, the Easter offensive on Marrowbone and St. Matthew's parish?

Vague denunciations of murder, wheresoever committed, hardly meet the case. And these were only uttered too late, and always with the implication that the aggression came from the minority, who were not only so wicked as to begin the saturnalia by getting expelled from work and burned out of 200 of their homes, but even to continue for two years a warfare in which they were losing all the time.

'As to the Northern Government, it has shown in many ways its earnest desire that Roman Catholics should have its full share in the public and private life of Northern Ireland.' In what and how many ways? Is it by suppressing every local assembly in which they were in a majority? Or by keeping the expelled workers still out of work? Or by raiding their homes at every hour of day and night for arms and phantom I.R.A. men?

'It has offered them many appointments.' Again, it is a pity we are not told how many, and what they were. One-fourth of the whole, by any chance, including one-fourth of the most lucrative ones? If so, then, there has, no doubt, been a conversion of heart from the year 1892, when a Parliamentary Commission found that in the public patronage of Belfast such equal justice reigned that 434 positions were held by Protestants and 18 by Catholics, and these latter the most poorly paid. But we await the specification of the number and quality of appointments with curiosity and interest.¹

'It is ready to give them more than their share in its police force.' This is generous. One-third was promised

¹ In an appendix to an article in *Studies*, June, 1922, I have given some further statistics, which will enable the reader to see the extent of the change of heart. Thus from the list of salaried officials recorded in the minutes of the Belfast Corporation for March, 1922, 33 Catholics out of a total of 681, or 4·8 per cent., drew 3·7 per cent. of the sums paid. I know, of course, that the Corporation is not identical with the Northern Government. But the distinction is rather *distinctio rationis* than *distinctio realis*.

in the London Pact by which peace was declared in Belfast—a peace followed within a month by a series of group murders, each more horrible than the other. But one-third is not more than their share in the Six Counties. And besides the Pact has been evaded from the start. The hard fact remains that its police forces are almost exclusively Protestant, and the promise has gone the way of the promise to restore the expelled workers.

This document makes the mistake of the actress in 'Hamlet,' it protests too much. The signatories show too naïve a confidence in their sources. They would do well to submit the sources themselves to critical examination. They must be aware that, when they say, 'the trouble in Belfast is not religious,' they are contradicting a widespread belief, not by any means confined to Ireland. And when they throw the blame upon 'an aggressive minority,' and not on 'the powerful majority,' they come into conflict with the laws of human psychology. No doubt anomalies occur. A widespread belief may be erroneous, and a minority may be aggressive; as for example, when it can rely upon the external aid of a great empire and a grand fleet. But anomalies have to be strictly demonstrated, not simply asserted. Again, to say that 'it is not easy for a powerful majority to submit tamely to such treatment,' is to afford colour to an excuse for very inexcusable things—Dunmanway, for example, and the expulsion of Protestant farmers from their homes. Because if all Ireland be included then the rôles are reversed. The Catholics are the powerful majority, and the Protestants are the minority, which in the Twenty-six Counties is certainly not now aggressive, but in the Six Counties appears to the majority, not merely aggressive, but almost insanely disloyal to their country (assuming that the Six Counties are in Ireland where they have been placed by nature and the history of two thousand years), and criminally wicked in their manifestation of that disloyalty. What would the signatories say, if the four heads of the Catholic Church in Ireland pleaded thus? They would say the plea came

strangely from Christian Bishops; and they would be right. It will never come. Reprisals in life or limb or property upon the innocent for the acts of others is the negation of Christian morality. And Dunmanway would remain a hideous crime even it came after twenty years of murder in Belfast. But we beg the Church leaders in the North to remember that, while the Catholic Archbishops of Ireland will never pen such a document as the one under discussion, will never, indeed, adopt towards the persecution of Protestants in Southern Ireland any other attitude than that of Dr. Byrne and Dr. Cohalan, the passions of the Irish people may not be kept in check indefinitely, 'if every kind of persecution, arson, destruction of property, systematic terrorism, deliberate assassination and indiscriminate murder reign supreme' in the valley of the Lagan.

Indeed the great crime of Belfast is just this, that it has started the train of events, which has moved forward with tragic speed and directness, through scenes of deepening horror, to the moral and material ruin of the whole land. It was in Belfast that constitutionalism was first replaced by the principle of force; it was here that revolting battalions first broke with their tramp the peace of the country; it was at Larne the first cargo of arms was landed; it was Belfast which repudiated the hand of friendship proffered by Mr. Redmond; it was Belfast delegates who brought the Irish Convention to failure, and prepared the triumph of Sinn Fein. Indeed, it was in Belfast that the prologue to the Great War was written. And we do not forget that in 1912, 1,000 Catholic workers were expelled, when as yet the I.R.A. were only dimly adumbrated in U.V.F. Can the four signatories say, 'It is not true,' to any one of these statements? And if not, with what justification can they plead that the present state of affairs is due to the minority in Belfast, or unconnected with religious differences?

In conclusion, let me take higher ground. We differ, North and South, on many serious doctrinal issues. But we agree at least in this, that Christianity's central lesson

is the Fatherhood of God and the brotherhood of man. But if all men are included in that brotherhood, *a fortiori*, one would suppose all Irishmen pertain to one great brotherhood. And this bond is, or ought to be, more sacred than any fancied imperial or financial interests. At least ministers of religion should set a fundamental principle of religion above any passing phase of political evolution or any financial fears.

Dr. D'Arcy, in particular, has shown that he possesses an eloquent tongue. While he still occupied the See of Dublin he spoke to the Synod of his Church, and took the opportunity of giving advice to the British Government. This was in May, 1920, and the date should be noted.

The course to be adopted must be thought out carefully, and, once determined on, it must be prosecuted with the ruthlessness of fate. The Government's whole policy in Ireland must be based upon principles that are as unalterable as the laws of the Medes and Persians. The Government's whole policy to be effective must be as steadfast as the constant northern star. Already there are indications that Lord French, Sir Nevil Macready, and those associated with him in the government of Ireland, are to be supported, for a time, at all events, with something like fit measures by Downing Street. Troops have landed in considerable numbers on the south-west coast, and are distributed in counties Cork and Kerry, and possibly in parts of County Clare. That landing marks a beginning in the right direction; but in order to afford protection to the sorely-tried police a much larger force will be required in Ireland. In almost every county military reinforcements on a large scale are imperative. This much is certain—they would make a fatal error if they placed too nice a limit on the troops at their disposal. Wise policy demands too many soldiers rather than too few, and an excess of firmness rather than weak yielding to disorder. The stake is British rule in Ireland. It must not be risked in any game of chance.¹

Dr. D'Arcy was then a Primate of the Church of *Ireland*. And, perhaps, only in Ireland could one find a primate of a national Church clamouring for the invasion of his country, or alleging as the supreme motive for exercising on his countrymen 'the ruthlessness of fate,' that the rule of another nation over his own was at stake, and must not be risked in any game of chance.

The answer to this *cri de cœur* was Sir Hamar Greenwood's Black and Tan campaign, the opening of which corresponded, almost to a week, with the July pogroms in Belfast.

¹ *Catholic Herald*, May 22, 1920.

It is difficult to conjecture how Dr. D'Arcy regards this advice of his own in the light of after events. But though it was given a very fair chance, it led to an ignominious failure. It is too much to expect that, warned by experience, Dr. D'Arcy will re-examine the whole Irish question, and ask himself will the continuation and intensification of Greenwoodism in the Six Counties give any better results either for 'Ulster' or the Empire, not to speak of Ireland, which apparently does not count? *Justitia stant magna imperia*, runs the old proverb. Is Dr. D'Arcy, or are his confrères, entirely persuaded that the Partition Act is just to Tyrone, for example, Fermanagh, Derry City, South Down or South Armagh? In the conclusion of their protest they write: 'If, instead of making wild and baseless charges, the Bishops would unite with us in the endeavour to discountenance violence, by whomsoever committed, and would urge their people to live a quiet and peaceful life, submitting to the authority of the community to which they belong, there would soon be an end of the present unhappy strife.'

And here, again, whether though some congenital mental defect or not, we must simply say that the implications lurking in these words bewilder us. If Dr. D'Arcy will open up, however against the grain it may be, the *Republic of Ireland*, April 27, 1922, or the *Plain People*, April 30, 1922, he will find two very bitter attacks upon the Catholic Bishops, accusing them of having constantly stood for British rule against Irish freedom. The only solid substance in the charge is, that, in season and out of season, they stood for peace, and dreaded the appeal to arms, even in the justest cause. The numerous and vehement condemnations of the shootings of police and Black and Tans, amounting in one instance to excommunication, are now cited against the Bishops, of whom it is implied by the four signatories that they have failed to condemn murder or preach peace! Are we living in topsy-turveydom, or are there two different species of intelligence, guided by diametrically opposed systems of logic?

The Bishops will gladly join with anybody 'in preaching submission to the authority of the community to which they belong,' when Dr. D'Arcy gives a reasoned answer to the question: 'To what community does the Primate of All Ireland belong?' or, 'On what principle is the See of Armagh cut out of Ireland?' or, 'Why the majority in Fermanagh, Tyrone, Derry City, South Down or South Armagh are not allowed to remain in Ireland as they desire to?' If Dr. D'Arcy would only define satisfactorily what he means by a national community, and how legitimate political authority arises therein, 'there would soon be an end to the present unhappy strife,' not only in Belfast, but from Fair Head to Cape Clear.

P. J. GANNON, S.J.

Since the above was written Rev. Dr. Lowe has been succeeded in the Moderatorship of the Presbyterian General Assembly by Rev. Dr. W. G. Strahan. The *Irish Independent*, June 6, 1922, gives a synopsis of their speeches on the occasion. Dr. Strahan's words leave nothing to be desired. They suggest a hope that he will lead his Church in the direction of peace and national unity. Dr. Lowe, however, while professing a great love for Ireland, its scenery, its poetry, its music, still clings to the attitude revealed in the joint document. He is quoted as saying: 'The Northern Government was doing all in its power to promote the best interests of the people. But it was confronted with a well-organized, well-armed force, especially active in Belfast, where some of its units were the original aggressors in the slaughter which has disgraced the city. Some nominal Protestants, acting under extreme provocation, and unwittingly playing the enemy's game, retaliated in kind, and reprisals and counter-reprisals have been indulged in with most deplorable results.'

These assertions, one would suppose, called for something in the way of proof. Dr. Lowe would have been well-advised to give us some definite particulars, with names, dates, localities and sequence of events, which would establish his contention. What were the units referred to? When, where, how did they begin the aggression? What 'extreme provocation' went before the expulsion of the Catholic workers in July, 1920? To the Catholic body, in the Six Counties and out of them, it seems a refinement of cruelty that, after two years of martyrdom, the minority in Belfast should be charged with the aggression. That it fought with the courage of despair, when driven utterly at bay, may be admitted; and that, maddened by horrors nearly equal to those of Indian warfare, it sometimes struck back in acts of wild revenge, seems also to emerge from the welter of confusion. But that it began the aggression is the reverse of true, and that, if extreme provocation be a palliating circumstance, this was received, not given, by the minority, so utterly outclassed in numbers, wealth, influence, equipment and strategic position, appears to onlookers *a priori* alone probable, and *a posteriori* alone demonstrated.—P. J. G.

CHRISTIANITY IN PAGAN NIGERIA

BY REV. EDWARD LEEN, M.A., D.D.

FEW countries have been so misrepresented as Africa ; not another continent has so suffered from the effects of what may be called 'artistic selection.' The grotesque, the horrible, and the revolting—it would be idle to deny that African life is wanting in any of these elements—have been seized on by the publicist and thrown into strong relief, with a view to casting a mantle of heroicity on the shoulders of those who have the courage to set foot on its forbidding shores. A halo of mystery, oftentimes of romance, has been shed on the pagan peoples of India, China, Japan, and of the Pacific Isles, and yet it is doubtful if the African suffers by comparison with the peoples of any of these countries ; measured by the standards of pagan social life, he certainly does not yield to any of them in charm and in interest. To justify, or at least to palliate, the horrible system of slavery, it was necessary to paint the native of the West Coast in the worst possible light ; when, with the abolition of the dreadful traffic in human flesh and in human souls, the necessity for the propaganda had disappeared, it continued to be the mode and fashion with writers devoid of the ability or the energy to observe and record, except on stereotyped lines. Writer after writer, and the missionaries are not blameless in this matter, has laboured to produce a picture of the negro, which should be the epitome of what is low, repulsive and degraded, by dwelling solely on his vices, and they are not few, to the utter exclusion of the natural dignity, native kindliness, wonderful fortitude, and genuine manliness which are not less characteristic of him than his vices. It goes without saying that the native of Africa presents himself under aspects somewhat diverse to the

government official, to the trader, and to the missionary—the three classes of men who are most interested in him. The study of his psychology from the missionary's point of view, besides being the one of most interest to the readers of an Ecclesiastical Record, is in itself the most fundamental. For religion is what is most fundamental in man, and its character will necessarily colour and determine his civic and economic activities. A series of thorough and searching examinations ranging over the entire field of Christian dogma, usually in its historical and logical sequence, carried on during twelve months, in which time the most remote villages of two very important and powerful tribes have been visited, has enabled the writer to form a fairly comprehensive idea of the aids and obstacles the introduction of Christianity encounters in the religious outlook which the native inherits from his ancestors. Though in Africa, of all countries, it is difficult to generalize, owing to the extreme individualism of the black man, what is said of the Efik and Igbo tribes may be taken, in its broad outlines, as true of the whole population of pagan Africa.

The main dogmas of Christianity are assimilated with the utmost facility, proving conclusively Tertullian's dictum that the soul, the unsophisticated soul, is naturally Christian. As amongst all primitive peoples the existence of a Supreme Being, who will reward the good and punish the wicked in a life after death, in which the soul survives the body, is universally held. Their idea of good and evil differs, of course, in details from that set forth in Christian ethics. One old chief, in a moral discussion with Father M——, stated, with the approval of his compeers, that three great crimes were, to allow an idol house to fall into ruin, to kill a child before it attained the use of reason, and to destroy an egg in which a chicken had already begun to live! The conceptions of the happiness awaiting them in the next world are, as it is to be expected, somewhat negative, though by no means very materialistic, whilst, on the other hand, the image they form of the pains of hell

is vivid and realistic. Desiring to make sure of this, the examiner one day asked a little boy if hell were a good place and if he wished to go there. To his great surprise, and somewhat to his consternation, the lad answered both questions in the affirmative. A further interrogation elicited the explanation that hell was a good place for those who offended God, and he himself was willing to go there if he were bad enough to violate God's law! This made the examiner reflect.

All the tribes believe in the existence of a spirit world, which exercises a constant and rarely beneficent influence on the destinies of men. The Christian Catechism, inculcating the creation of the angels in a condition of original justice, with the revolt of some of them and the consequent fall of these from goodness into a state in which they display a relentless and malevolent hostility towards mankind, readily coincides with their own vague preconceptions. The Devil, with a capital D, is for them a very real person, and is hated and dreaded with vivacity. Endowed with no powers of abstraction, the images they form to themselves of his nature is somewhat gross. One candidate for Confirmation was of opinion that the 'Great Adversary' had a body and needed nourishment to sustain his life. The Father somewhat sarcastically asked for his bill of fare and was completely taken aback by the answer, which came quick as lightning: 'He lives mostly on forbidden fruit.' The Igbo people more easily realize the spirituality and the incorporeity of the spirits than the Efik, and ignorance of this question is rare amongst them. The examinations furnished scarcely a single instance of it, except amongst the women, who almost invariably are dreadfully unintellectual.

As the most ancient records of other peoples would lead one to expect there is a dim tradition of a primeval offence and of a God from all time irritated against the human race on account of this transgression. It is not surprising, therefore, that the doctrine of original sin finds ready acceptance amongst them; what is surprising is

that they find no hardship in being burthened with the consequences of the sin of our first parents. When asked if God holds them responsible for the sins of their immediate parents, the answer is unhesitatingly in the negative, and yet no argument *a pari* or *a fortiori* will move them from the position that they have to suffer for the crime of Adam ! Close sustained and logical arguments, sometimes lasting for fully a quarter of an hour, often reduced the examinee to perplexity, but never could shake his conviction in the matter. So strongly do they hold this doctrine that, without exception, they adopt the harsh view of St. Augustine as to the fate of children that die without baptism. They have not the slightest compunction in condemning them to hell—or at best, to purgatory—unsympathetically too. Sympathy with another's hard lot is not a characteristic of the African. He is never likely to fall into the modern error of substituting humanitarianism for religion, nor will any altruistic tenderness for the souls of his brethren already condemned at the 'Supreme Tribunal' lead him astray into Tyrrelism. This excessive individualism of the black man makes it very difficult for him to understand the meaning of the Catholicity of the Church. The concept of that Church as the mystic body of Christ, of which each Christian is a mystic cell, in which all are members of one organism, is, in his present stage of development, utterly beyond him. This individualism manifests itself in curious ways. For instance, it is an ordinary experience for the Bishop on his rounds to be entreated by the inhabitants of a village to send a Father to reside permanently amongst them. He invariably points to the fact that there are over 700 stations in the Vicariate ; that, in the second place, he has but twenty-five men at his disposal, and that, in consequence, it is impossible for a Father to devote himself exclusively to one. The argument falls on deaf ears ; it would not trouble them in the least if the other 699 villages were neglected provided their own spiritual interests were looked after. That is the native mentality. There is little or no sense of solidarity or cohesion. There

is not even a tribal much less a national sense. The commune is really the only link, and each commune exists for itself, its feelings towards the neighbouring one being ordinarily one of jealousy—frequently of hostility. Do not blame the African; we are too apt to forget that such altruistic sense as exists amongst ourselves is to be traced entirely to the Cross.

Since the whole Catholic system is pivoted on the doctrine of sanctifying grace, it is considered of paramount importance that the neophytes should have an accurate, if not an adequate, notion of its nature, and, as a consequence, questions on it constitute the principal matter of the examinations. Seeing that the ideas of the best instructed Catholics at home are rather vague upon this important subject, it is only to be expected that it presents considerable difficulties for our catechumens. At present these difficulties are largely overcome, and the grasp of the subject retained by the large majority of the newly confirmed Christians would astonish a diocesan examiner. A favourite question was: 'What did Adam lose by his sin?' A young candidate, judging correctly from the tone of the interrogation that the thing lost must have been of considerable importance, electrified the examiner by answering: 'He lost his wife.' In a country where a wife is an important asset, from an economical point of view, and where the death of a wife ordinarily spells financial ruin for the bereaved husband, the young native conceived that this was the most appalling disaster that could befall Adam for his disobedience.

The doctrine of the Resurrection of the body does not appeal to them at all. One old woman, one day, looking ruefully at her worn and somewhat decrepit frame, told the Bishop that she had had enough of her body, and was not at all anxious to reconstitute relations with it after the Last Judgment! They have some very strange ideas concerning the lot of the soul after its separation from the body. The belief in the transmigration of souls is very prevalent—as is also the belief in pre-natalism. The

examiner knowing this, will carefully question on the Particular Judgment. A young lad was asked at what time his soul, if it departed this life perfectly pure at twelve o'clock, would enter heaven. To the great perplexity of the Father, he promptly replied: 'One o'clock.' Being pressed for an explanation of this remarkable assertion, he said that they would be at prayers at that time and no one would be at the door to admit callers! This was based on observation of the habits of the missionaries. Another boy in the same place was of the opinion that the soul hovered round the grave for three days after burial, to protect the body against all outside interference on the part of other spirits. A query as to the occupation of Our Lord during the forty days He remained on earth after the Resurrection elicited a piece of information, very typical of the native mentality: 'He was feasting and celebrating the event with His friends!'

There must be something in the sacramental system that responds to the needs of human nature, for the theory of satisfaction through material elements or actions is readily understood. Their eagerness for and appreciation of the sacraments is extraordinary. It has frequently happened that those who have been rejected have lain down all night at the Father's door, refusing to be comforted or to go away, until their desires should be satisfied. It is necessary to be adamant on these occasions. Quite recently one old lady, about the sufficiency of whose knowledge serious doubts were entertained, fell mortally ill and sent in all haste for the Father to come and baptize her. Next morning she came to thank the Father for what he had done for her—this with a rather enigmatic smile. It is true that there is with them a constant tendency to drift into formalism—the idea of ritualistic purification being evidently derived from Eastern traditions. Again and again, the student of the Bible finds traces of the Orient in scenes, incidents and customs strangely reminiscent of the Old Testament. Although sacrifice enters largely into their social life, the people have

but a very dim perception of what is being done, and do not really seize the essential note in sacrifice. For them it is never latreutic, always either placatory or impetratory, offered for the purpose of appeasing malevolent spirits or winning their favour. Hence there is a great difficulty in getting them to understand the Mass. In effect, it would seem as if the idea of sacrifice in the Christian religion shocks them in the beginning, so accustomed are they to associate sacrificial acts with what is most low and degrading in the paganism they have abandoned. It takes them a considerable time, and involves considerable difficulty for them, to rise to the purity of the Christian idea of sacrifice.

The rôle of seer and doctor (or medicine man) are ordinarily found conjoined in the same person, and gives rise to problems very perplexing from a casuistical point of view. These medicines are often merely charms, but more often still are real medicines compounded by people having considerable skill as herbalists. It is not easy to draw a strict line of demarcation between gross superstition and real natural efficacy. The young Christians are very scrupulous on this head; a little boy not long since asked a Father for some medicine, explaining that he had some stomach trouble. The missionary referred him to his mother, who was a pagan; the boy returned after some hours hesitating as to the lawfulness of making use of the cure his mother had given him. In view of this close connexion between the exercise of medicinal skill and the discharge of priestly functions, it may be questioned if the missionaries of the early days were wise in establishing pharmacies run by themselves.

The arrival of the Bishop in a village for the examinations is an event of great importance and the cause of considerable excitement. For hours the people will remain clustered around the house and never weary of feasting their eyes on His Lordship and the Fathers that accompany him. The candidates for Confirmation are, of course, the most interested, and under an impassive exterior their

hearts are fluttering anxiously. When under examination, their agitation and nervousness are betrayed by the perspiration that breaks out over their bodies and flows copiously. To fail means not only deprivation of the sacrament, but public disgrace before their people, who are all listening. The chief often comes to assist and is delighted if his townspeople acquit themselves with distinction, wrathful if they do not. One evening we were sitting in the rest-house after a hard day's work, the sun was about to set, and a calm had fallen over everything. Suddenly there was a great clamour; rushing out to ascertain the cause, we found a group that had suffered rather severely in the morning examinations proceeding to handle roughly their teacher, on whose teaching they were laying the blame of their discomfiture. It is difficult for people at home to realize how the Christians long for the Sacraments. There is another scene before my mind illustrating this eagerness. It was evening, darkness had long since fallen; the lamps were lighted and we were, four of us, sitting at a table in the little porch in front of our little house. Suddenly there appeared at the door a young man of about twenty years of age. Without ceremony and without a word he stood before us. His hands were folded across his breast, which rose and fell rapidly as he panted for breath. He streamed with perspiration, which glistened in the lamplight as it rolled down his limbs. Asked for the meaning of this intrusion, he replied, laconically: 'Exam.' He belonged to a neighbouring village that had been catechised in the morning. All had failed and had been told to go home. Some went, he amongst the number, whilst others remained around, on the off chance of securing another trial. Their patience was rewarded in the evening and some succeeded in passing. They went off to their villages in all haste, and overtook the others at a great distance. Our hero, as soon as he heard of the re-examination, started back and ran the whole way to Eke in the dark, carrying a lantern in his hand. In spite of his physical agitation he passed. The

announcement of success was received by him with a war-whoop of triumph and there, in the presence of the Bishop, he began to leap and dance in the excess of his joy. As a rule they were very keen, take no risks and leave no stone unturned to make failure a remote contingency. When the sessions are being held at one centre, picked men from places several days' march distant and awaiting their turn will be present listening to every word, noting the characteristics of the examiners, and, after the day's work is done, questioning the teachers on the matters that have proved a stumbling-block for others. Questions that have proved an insuperable obstacle in one village will be readily solved in the next one. By the time a country-side is finished all our stock difficulties are no longer problems for the examiners. The failures are few, and so, of a truth, are the last first.

The generosity of the people is beyond all praise, and the scenes that attend our departure are touching in the extreme. The examinations are usually held in a central place, towards which the paths from a number of surrounding villages converge. There are, therefore, representatives present, on each occasion, from all the communes within easy reach of the station. Each makes it a point of honour to be as open-handed as the other. The presents are, for the most part, in kind—goats, fowl, yams, and eggs. These are no mean presents, for a goat will fetch anything from fifteen to thirty shillings, eggs are a penny each, and a person will have done good marketing if he brings home three yams for a shilling. One is irresistibly reminded of the patriarchs of old, as the Bishop, with his white hair and venerable beard, passes through the kneeling crowds, followed by a long train of bleating goats and a retinue of boys carrying the yams in baskets on their heads. When he has passed, the kneeling crowds spring to their feet and follow as far as they can—the hardiest and the swiftest keeping pace with the bicycles until they are completely out of breath. Is one to be blamed for often feeling a catch in the throat as one sees these manifestations

of affection and as one thinks that it would be the same everywhere in this land had we but enough of missionaries.

There are examples of Christians falling away from the practice of their religion and relapsing into the evil practices of paganism, but the instances of perversion to Protestantism are very rare. I do not know if there are any. Once they are baptized in our faith they instinctively, as it were, conceive a very hearty and healthy hatred of heresy in all its forms. To illustrate this, I cannot refrain from relating the following anecdote, the incident is not yet twenty-four hours old. Yesterday evening a young boy called to see the Bishop (at present staying at Calabar). He was about three feet high and about four years old. His singlet was in a state of disarray; his countenance showed signs of recent struggle and he was grasping firmly in his hand the relics of what had once been a rosary beads. He was accompanied by an older boy to act as interpreter, and in childish accents he lisped his story. His name was 'Naishus (i.e. Ignatius); it appeared he had been in the church when another boy about his own size, belonging to the 'African' sect (a kind of native Protestantism), entered, and thinking he was unperceived, appropriated a beads he found lying loose. He instantly made off, and our militant little Christian gave chase. A struggle ensued in which the beads suffered badly, but was at length rescued from the profane hands of the little heretic. The little man returned in triumph to the Bishop, carrying the trophy of his victory. He was rewarded by two lumps of sugar and the title of Defender of the Faith. He went away radiant.

These are some of the incidents that relieve the tedium of the examiner's task. It is most laborious work, but most interesting and full of consolation. For, in general, the knowledge our people have of Christian doctrine is excellent. In spite of the drawbacks under which they labour, having to depend almost entirely on the teaching of an ordinary catechist and on the text of the catechism

for their instruction, the results are wonderful. The standard of knowledge exacted and attained would compare favourably with any one set up in countries where Christianity is centuries old. A study of the current texts of the catechism, as a vehicle for propagating a knowledge of the Catholic faith, would demand an article for itself. With the kind permission of the Editor of the I. E. RECORD it will be dealt with subsequently.

EDWARD LEEN.

THE FIGURES OF THE CLERGY

By 'PETRA'

THE centenary of 'Grimm's Law' calls forth in the magazines a discussion on the evil influence of the Press in the matter of the pure and undefiled English language. The writers rage about the use and misuse of the old Saxon genitive with place names and proper names. Is 'London's water supply' as good English as 'the water supply of London'? When Shakespeare talks of the 'law's delay,' is he as correct as the man who writes 'the delay of the law'? I can't decide, nor can the critics who wage combat in that pretty and petty debate. Whether I should be more accurate and correct to write the 'clergy's figures,' or 'the figures of the clergy,' I am not sure, but I venture to select the title given above, and await critics.

Let observation with extensive view survey the clergy from China to Peru, and many facts may be noted and noticed regarding the figures of the body aforesaid. In any clerical circle are several quite different clerical figures. Perhaps young and profane clergy would wish me to dilate on clerical circles, upright clergy, clerical conic sections, clergy of circumference, daffodil-shaped clergy, clergy who strut, clergy who glide, or the clergy described by old Chaucer,

Fat as a whale and walk'd like a swan.

People notice and note clerical figures; remark how Mr. Punch does the priest and the parson, in pencil. Then who has not seen the reverend gentleman who appears in 'The Private Secretary'? The picture postcards at Harrogate display three huge sacerdotal figures and carry the profane words, 'Three of Irish.' Even in this dear land of mine people always noted the figures of the clergy. For example,

good old Wyse, in his *Historical Sketch of the Catholic Association*, vol. 1, p. 239 (Dublin, 1820) wrote: 'the priest cast off altogether the habitual stoop, which had so long been the disgraceful distinctive of his order.' In the century that has elapsed, culture, learning and piety have brought great and lasting grace to the clergy, so that in this day of freedom there are few clerical parallelpipeds. In our day, few remnants of non-cylindric figures linger; but physical drill, good food, freedom and study make the young graduates realize the great and potent words of old Sallust—that men are born to walk with their heads up!

Still the monotonous regularity and perfection of the figures of the clergy have an interest for us all. The Maynooth Synod, Diocesan Synods and the Code harp on the figures of the clergy, and the accurate and correct figuring of the clergy, figuring in detail and in many books, so that the clergy are now what their stem-name tells—clerks!

The Maynooth Synod orders pastors to bank the parish funds, tells them how they are to be banked, and that strict accounts of such income and outlay are to be submitted annually to the Ordinary or to his nominee. Either personage examines and checks the figures of the clergy, and much trouble and sorrow spring from such figurings. For clergy are not of this world. They dislike the gatherings and the recordings of money, they are yet human and make mistakes in entry and outlay, omissions and forgets. And when the day of balancing comes the figures of the clergy are full of dread. Some kind diocesans provide books specially ruled and drawn up for the purpose of a quick and easy audit. But alas! many pastors have to draw their clerical figures on scraps of paper. Now, history tells us that 'a scrap of paper' is a bitter scrap, and often leads to scrapes. In our secondary schools and our professional colleges book-keeping finds no place. It is a horrible thought—a chair of book-keeping and accountancy amongst the furniture of any arts, science or philosophical faculty! Fancy 'The Student's Business Methods or Commercial Practice and Correspondence' (A. Fieldhouse) forming a

text-book in a clerical arts' course! Why it is impossible for a human mind to grasp such an idea. And yet how useful the perusal of this or a similar book would be to a student, to a priest. How greatly it could help the conservation and balancing of clerical figures. It teaches all about banking accounts, business letters, letters of order, replies, filing of letters, etc.

In most Irish and English parishes accounts are kept. Very often they are useless, but they are always interesting. Their uselessness comes from lack of detail, lack of continuity, and a confusion to a stranger of things quite plain to the compiler of the clerical figures. For instance, an entry reads to 'John Murphy, for repairs, £10—ditto, £12, to end account, £16 10s. Dec. 8th, 1874.' The writer knew John and the work for which he received £38 10s. But his successor fifty years after knows not the nature of the repairs, their location or their need. The ancients of the people are questioned, and they know not the man nor the work. An altar was bought, the clerical figurer wrote: 'Altar, £68.' When or where it was procured, which altar was erected for that sum nobody knows. Then a case occurs to me of a pious and peppery man who wrote in his accounts:

'Petrol, £2 4s., etc. . . . £8 12s.'

A query was sent by a young scrutator to give the items covered by the words *et caetera*. The reply was hot and unsatisfactory! It is rude and ill-bred to ask questions, but the young official was quite right and the clerical figurer quite wrong. 'Et caetera' in keeping accounts are words 'temerarious, scandalous, ill sounding, offensive to pious ears, pernicious in practice, and false in fact.'

When the Protestant Church of Ireland was endowed the figures of the clergy were notorious, and gave much food for ribald Romanists. Of course, I don't wish to repeat Smollett's sneer that the parsons whom he saw at Bath were 'emblems of sloth and indigestion.' I refer to clerical figures. Those good men were provided with everything, the wines and loaf for Sunday service, the surplice which draped their

holy bodies, the ewer and basins for their holy hands, the towel, the Bibles, hymn books, mats and full equipment—all were supplied and paid for mainly by the Papists. The accounts of these dear parsons were supplied to Government, and lay on the tables of the House of Commons. They met the eye of Sir John Newport, M.P.; and that honest man made a study of the parish meeting minutes and of the wants and ways of the alien faith in Ireland. He spoke to the great, rollicking Irish leader, O'Connell, and aided by him he came and saw, and reported his many finds in the figures of the clergy. Let me transcribe good Sir John's words:—

'Bishop — In one place, and he regretted the circumstances, because it reflected on high dignitaries of the Church, a tax was made to repair the bishop's throne, to provide a clothes horse for his closet, and brushes, ewers, basins, etc., indeed every species of article for the toilette of a finished gentleman.' And O'Connell, from whose 'Aggregate' speeches I quote, quoting Sir John adds: 'Finished gentleman! Aye, a finished gentleman in good truth. I wish I had seen him on a visit to the female saints of his diocese. His white teeth shining with parish tooth powder. His cambric handkerchief with parish powder. His polished half-military boots glistening at parish expense. His black coat glistening from the parish brush, and his ambrosial wig redolent of parish pomatum. . . . Let him pass, however; he is probably one of the poor class of Irish Protestant bishops, not having above eight or ten thousand a year; poor man—really the parish could not sacrifice enough to him.' What a figure and figurer of the clergy! But, readers should pause and note good Sir John's words '*et caetera*.' They are so cryptic and so eloquent! Before leaving those old accounts written in the famine times, and unearthed by Sir John, I will add a further note, a holy and a spirituous one, indicative of the spirituous exercises of the last century, the pious plunder of the Protestant agapae.

'In the Union of Ardee there was the very extraordinary item—Two dozen of wine were charged for the sacrament at £5 18s., and as the quality of the wine was not thought

good enough, there was a change next year for two dozen of a better flavour, amounting to £7 12s. Everyone acquainted with the price of wine in Ireland, must see at once the profligacy of this charge.' Did the figures of those clergy err by excess or by defect? Perhaps the insertion of *et caetera* could have weakened the effect of these vinous items.

Turning from gay to grave, I must say that every mission I have worked in suffers from a want of ecclesiastical records. The dates of the foundations of churches, their clerical authors, the names of the builders, their wages; the cost of the church furniture, seats, confessionals, harmoniums, altars, vestments—all are wanting, and this is the case of very modern shrines. It were easy to keep, in an account book, a parish diary. There is no reason why such should not be kept; it is interesting, useful and informative. And details should be given. An item like 'To J. Redican, for instrument—£26,' is irritating. Who was J. Redican? What instrument did he sell or did he buy, and from whom was it bought? But if the item were written, 'Paid to Messrs. Quaver & Minim, Dublin, per J. Redican, Rateen, £26 for Harmonium Alexandre Fils, No. M6432, for Carrickahog Church, June 9th, 1872,' it is complete, interesting, useful and informative. The value of such information is understood now, and time demands such figures from the clergy. Churches built in this century have no written records! The donors of the site, the payments of parishioners, the labours of itinerant clergy who begged from town to town, the contractor's charges and extras, the architect's name and letters and fees are unrecorded. The penal times are gone; we live in freedom and we are educated men, whose acts should be not ephemeral, but records for all time.

In the sister isle, before her embrace of Lutheranism, priest and peasant loved their parish church, and recorded its ways and means with care. Scores of volumes have been issued giving the accounts of medieval and Tudor English parish churches. Nearly every priest has read parts of such accounts in periodicals, and some may possess the delightful book, *Churchwardens' Accounts*, by Dr. J. C. Cox (Methuen).

The study of old Catholic England led that fine old scholar and antiquarian to the true faith. In Catholic England, Dr. Cox tells us that many churches 'were endowed with land and stocks of cattle, or both, and they occasionally occupied an independent position and contributed to the maintenance of festival services in which all parishioners could join.' The accounts were kept by a layman, a secretary to the churchwardens, and these good men feasted and rejoiced when their accounts, having been audited, were passed by scrutiny. They were not ashamed to give details. Thus (Cox, p. 8), 'Year 1531, bread, ale and cheese were consumed in the church by the parishioners, cost 18d.' But in 1559 the good men had a more delicate taste and they expended on the passing of their accounts: 'For Cracknells vid., for figges, reasons and almonds 13d., for apples 3d., for wyne 17d., for sugar 8d., for bere and ale 4d.' How sweet are those details; no *et caetera* there; every item, its price, and the occasion are given by those laymen. Why should not the clergy take pains with and pride in their figures? But the giving 'reasons' at an audit is a joyous pain reserved for few!

How was money raised by those good men? By ways and means which cannot be repeated now. By letting out land, by letting out cows from the church herd at 3s. 8d. per year, by selling grave spaces inside the church (knelles pyttes), selling church sittings, fees for bell ringing, fees from hiring out fine copes for bishops' visits, for loan and carrying of processional cross, for tolls on carts left in graveyard on market days, sale of wax tapers (Cox, pp. 25-6). And then:

	£	s.	d.
Year 1457. From Margaret Kene, the fruiterer, for standing at the Church dore for $\frac{1}{2}$ -year	0	0	6
Year 1458. From Margaret Kene, for her standing at the Church dore for an hole year	0	2	0
St. Edmund's Church, Sarum records:—			
1461. Collection Maunday Thursday and Easter Day at dore	2	0	4
1473. Good Friday	2	7	0
St. Michael's, Cornhill, 1458 A.D.			
Item, gadered on Sunday next after Christmas, in forenoon	0	4	10
„ gadered same day, afternoon	0	0	20

Under the heading 'Dona et Legata' are recorded gifts to St. Edmund's, sheep, bees, gowns, cloths, brass pots, oak chests, silver spoons, jewels and rings—all kept recorded or sold. Hundreds of odd old items like, 'a jantaculum of calvishede cum le henge—6d.; for brede and ale to diverse persons that rang the bellys and bere the banners ther in all the Rogation week—2s. 9d.; Johi Coplande, steynner pro le steynyngde de magno vexillo—6s. 8d. Pro uno baculo pro eodem—8d.; To John Frye for cutting downe of the netylles and wedes of the churchyard—2d.'

The accounts of St. Margaret's Platteus from 1507–1525 are especially interesting, as they give the list of Mass stipends, the salary of the organist (40s.), the salary paid to the junior clergy, and the troubles of the parishioners with same. One of these junior clergy, Sir Hugh, was suspended, and the parish had to send men to the Bishop of London's palace 'to testifie against Sir Hugh before my lord of London.' 'Sir' was an ecclesiastical title, corresponding to our word 'Father.' The cost of the boat on the Thames, and of the meat and drink on the journey, is recorded, and is small compared with the court costs and procedure. And the scribe and his masters grieved at the cost of the 'Commissary,' for the citation, for affixing it to the church door, for poor Sir Hugh's suspension, putting it up and taking it down from there, the certificate of his default of appearance and the charges for presentation of his successor. Those costs grieved them muchly. But they learned; and when a similar case arose later they presented the Chancellor with 3s. 4d. worth of 'pickerele and grete ale'—and got off more cheaply and more quickly. They laughed and wrote in this figure of the clergy.

The subject of 'superflua,' a most interesting theme for clergy, may figure at no far distant date. It has an influence on and an interest for the figures of the clergy.

'PETRA.'

A CATHOLIC LIBRARY SCHEME

BY REV. H. A. JOHNSTON, S.J.

I KNEW a very wise man that believed that, if a man were permitted to make all the ballads, he need not care who should make the laws of a nation.' Ballads have gone out of fashion considerably since these words were first penned, and it would be an interesting subject for discussion what change should be made in the dictum to bring it up to date. The cinema might find a place in the reconstituted saying. But the printing-press would have a strong claim for representation. Its power at the present day cannot be denied. If you want to win a war or popularize a new style of hat, get the printing-press at work. If you want to obscure the truth or bolster up a falsehood, pour out your literature cheap enough and abundant enough and the job is done. Fortunately, there is another side to the question. Good books, too, have their influence, and who will say that that influence is surpassed by any other agency for good at present at our disposal.

But readers of the I. E. RECORD might well murmur, *Crambe repetita*, and pass on, if I started out to read them a lecture on the value of reading in general or even of religious reading in particular. Rather, taking this as an accepted and unchallenged truth, I wish to outline a particular scheme for turning to advantage the great mass of Catholic literature which lies to hand.

That an immense quantity of Catholic literature exists will not be gainsaid. A very slight acquaintance with libraries, bookshops, and catalogues is sufficient to put the matter beyond question. Publishers are adding to this store every day, so much so that even to keep record of the Catholic books issued would be a sufficiently engrossing

task. It is equally beyond question, I think, that here in Ireland we do not put this literature to good account. Like the numberless streams that leap from mountain to plain, and wander a lonely course to the sea, and turn no turbine or mill-wheel, the flood of Catholic books is not caught and controlled and directed into channels of usefulness. Partly is this due to the fact that the Irish people are not a great reading people. Another reason, still less to our credit, is that the provision and spread of reading matter among us is left in large measure to those who are indifferent, when not actually hostile, to our nationality and religion. This brings us immediately to the project in hand, which is to explore a means of bringing Catholic books to the homes and into the hands of the people. We want an organization which will take on itself to foster the reading of Catholic books by making these books accessible to the people; more than that, by making Catholic books easier to get than other books. This can best be done, can only adequately be done, by establishing a Catholic central reference and lending library.

In outline the scheme would be: A central library would be established in Dublin which would be, first, a free reference library, where Catholics could have easy access to all books which might be considered necessary for the full explanation and defence of Catholic faith, life, and practice, and where enquiring non-Catholics could freely and without interference make themselves informed about all that concerns the Church. Secondly, this library would send out Catholic books on loan to individuals, libraries, and institutions all over the country.

The first part of the scheme needs little explanation. The proposed library would differ from other reference libraries only in specializing exclusively in Catholic books. It is needed; for no existing library, not even the collection of existing libraries, contains anything like an adequate supply of distinctively Catholic books. Besides, a library which specializes in one branch is much more useful to workers in that branch than an equally well-provided general

library. Our library should be made as complete as circumstances will permit. A full list of subjects is not necessary here, but it should comprise ascetical works, doctrinal, apologetical and historical; works on Scripture, philosophy, social questions and all modern problems, from a Catholic point of view, as well as a full collection of reference books in the narrow sense of the term. In short, the library should be a complete Catholic encyclopedia in large. This is not too much to demand for the capital of the most Catholic country in the world. Of course such a library could be only gradually built up. But that we cannot have it all at once is no reason for not beginning at once.

If space permitted it would be useful to give an account of a library of this kind which has been in existence in London for a number of years, the Catholic Reference Library and Reading Room in Victoria Street. This library, to which only brief reference can be made now, is open every day from 11 a.m. to 10 p.m. It was started very courageously by a lady, Miss Pauline Willis, with very little capital behind it. Yet it has prospered, and though not on so large a scale as the library I am advocating for Dublin, it has proved a great boon to Catholics, and has been the means of bringing a goodly number of non-Catholics into the fold. To non-Catholics it is free. Catholics may pay one visit free; after that they pay a small fee. Before the war the library contained over 2,000 volumes, and was developing a lending section. This brings us to the second and not less important part of our scheme.

There already exists throughout the country a number of small Catholic libraries, mostly run in connexion with sodalities; sometimes they are parish libraries. The idea now is to aim at the spreading of such libraries uniformly over the country till no parish is without its collection of Catholic books, and to make the libraries more useful and interesting by circulating books on loan from the central library. This would secure a constant supply of fresh books, which is essential for the permanent working

of a small local library. A library federation would thus grow up; but it is not meant that the central library should be in any sense a governing body. Already existing libraries and new libraries to be formed should be under the complete control of local authorities. The work of the central lending library would be to make the running of local Catholic libraries easy by ensuring a steady supply of fresh books. Experience shows that sodality or parish libraries soon languish when the books are all read, and there is no way of getting them replaced by new ones.

The lending of books need not be confined to supplying libraries. Convents, schools, hospitals, institutions of all kinds, would come within the scope of the scheme. Then there would be guilds, clubs, reading circles, and various bodies needing books on special subjects. Retreat centres, which, it is to be hoped, will soon be more widely spread, could also draw on the central lending library to help them in bringing Catholic literature under notice of the retreatants. It is a matter for discussion whether books should be sent on loan to individuals, or whether all lending should be done through local libraries. If the scheme developed and prospered this latter would probably be the wiser course. But exceptions could be made in favour of priests and isolated Catholics, and, above all, of Protestants. For one of the chief aims of the library should be to spread a knowledge of Catholic truth among those who are without the fold. There are great numbers—and this is confirmed by the experience of such libraries in England—who, if they had easy access to suitable Catholic books, would be led straightaway into the Church. Our object should, therefore, be to make it as easy as possible for such to obtain the books they need. This is the chief work of the Bexhill Library, which will be mentioned again.

As will be seen, no attempt is here made to develop the details of such a scheme. To do so would require very considerable space, and might not be very useful. The organization and management of the reference library,

the staff needed, the arrangements for despatch and receipt of books, the class and number of books to be stocked in reference and lending section respectively, the relations between the central library and local libraries—these and a number of similar questions can be easily settled once the substance of the scheme is adopted. One point only about the kind of books to be supplied by the lending library may be worth mentioning. Novels, I think, should be included; but, as this is to be a ‘Catholic’ library, only novels of distinctively Catholic tone, not such as are merely neutral and ignore the supernatural life. Our object is not to compete with other lending libraries on their own ground, but only to supply a class of book which at present is not easy to get. A more important question would be that of fees, and the terms on which books would be lent. Bexhill for a number of years sent books to any part of the world, and for any length of time on receipt of the postage of them; and it still does this for individual borrowers. Whatever rules it might be thought wise to adopt in an Irish library, we must remain true to the ideal of the library as proposed, *to make it easier and cheaper to get good Catholic books than any others.*

The advantages of such an organization as that outlined hardly need emphasizing. Priests, writers, students, who are often hampered in their work by being unable to procure necessary books, would find here the help they needed. The ordinary faithful would benefit by the good influence healthy-toned books always have on the mind and conduct of the reader. We cannot afford to be indifferent to anything that will safeguard the morals and deepen the spiritual life of our people. We want to maintain and foster piety; and we want also, especially in the new era that is opening up before us, Catholics to be well instructed in their faith and its applications. We want to spread the light in our own land, as well as in China, and to do this indirectly by making Catholics better fitted to speak up for themselves, and more directly by bringing Catholic truth to the knowledge of outsiders.

There are other activities which our library, once established, would naturally develop. Not merely would it lend books, but would give advice about the choice and selection of books. As the issue of a catalogue would be essential, it would be an easy step to the preparation of annotated lists of books on special subjects and for different classes of readers. And, almost inevitably, the library would become an information bureau, not merely in regard to Catholic books and reading, but on all subjects of strictly Catholic interest.

Ireland has special need of an enterprising Catholic library. Having few large towns we have very few book centres. Carnegie Libraries, even when they possess books, make no effort to supply the needs we have at present in view. The mass of the people never come in contact with books. They cannot see them and examine them. And as for expecting them to order through a bookseller, when such is available, or write to a publisher, you might as well ask them to make a pilgrimage to Rome. Again, books are dear, and our people often find it hard to live. It is easy to blame them if they do not read, or if they turn to the cheap but undesirable reading furnished to hand from alien and irreligious sources? The plague of materialism and irreligion which is sweeping over large portions of the world is carried chiefly by books. Control the reading of a people and you control their moral life. The danger is that we shall hang back, 'letting "I dare not" wait upon "I would,"' till the enemy has occupied and fortified the commanding positions. We are at the opening of a new volume in the history of our country. There has been a great awakening in its national life. New ideas are being born, new activities are being developed, fresh-won powers are being tentatively exercised. Can we keep these powers, these activities, these new ideas, in touch with Catholicism better than by scattering broadcast Catholic books? Even at present puzzled people are asking, 'What are the facts?' 'What does the Church say?' 'What are we to believe?' 'How are we to

act?' Give truth a chance. Bring our stores of Catholic literature into active service.

But books cost money ; and a library cannot be run on mere enthusiasm. How would the proposed library be supported? No good work in Ireland fails for want of money. I am sure the small sum needed for initial expenses could be had without difficulty at once, and this could be gradually increased by subscriptions and donations as the work became known. Legacies might be looked for in the future. For the present ordinary working expenses could be met by fees, voluntary or other. Individuals and libraries might well present surplus books to our libraries. There are a great many good books lying dusty on shelves, unused or already read and finished with. We should like to draw these out of the backwaters into the flowing stream. It would not be too much to expect that ecclesiastics and others should add a clause to their wills giving our Catholic library a preference on their books up to a certain number or a certain value. Catholic publishers would probably be generous. The scheme should benefit them considerably, indirectly by the development of interest in Catholic books which would result, and directly by bringing their books immediately to the knowledge of the people. Many would buy books if they only had a chance of seeing and handling them first, and finding out exactly what they were buying. The appearance of a book in our catalogue, too, would be in itself a good publisher's advertisement.

But there is a simple way of setting at rest doubts about the feasibility of the scheme from a financial point of view. It is this. Similar enterprises have been undertaken in other countries, and have succeeded. Space does not allow more than a bare reference to some of these. The Catholic Reference Library and Reading Room in London has already been mentioned. The Catholic Reading Guild, which has for its object 'to get more Catholic books, pamphlets and newspapers read, by making it easy for the people to get them,' is another organization that does good

work with apparently very insufficient resources. In Belgium, before the war, the *Bibliothèque Choisie*, at Louvain, was a striking proof that a Catholic library can be a success even financially. From very small beginnings in 1901 it grew so quickly that, in 1914, it had two main libraries, at Louvain and Brussels, as well as twenty-two dependent libraries in the smaller towns. These latter had no stock of books of their own, but drew their supplies from the parent libraries. The catalogue of the *Bibliothèque Choisie* runs to over a thousand pages. The central library at Louvain was, unfortunately, burned at the beginning of the war. The French *Oeuvre des Campagnes*, an organization for the support of parish libraries and priests' libraries, and the *Bibliothèque centrale d'études* at Paris, would furnish encouraging examples could we delay on them. I feel, however, that the Bexhill Library cannot be passed over without further reference. Bexhill might be set up as the model of enterprise in the apostolate of Catholic books, and the confounder of all faint-hearted doubters.

Bexhill—Bexhill-on-Sea—the very name is against it. Who ever heard of Bexhill? Who knows where it is? But Bexhill has been an anomaly in everything; it has flouted the laws of prudence from the very start. It began with twenty-five volumes—just imagine a library of twenty-five volumes—in a church porch in February, 1912. The books were on open shelves, and could be borrowed by anyone who wanted them, without payment, without even the entry of the borrower's name. We all know that common honesty does not extend to borrowed books. It was easy to prophesy the fate of the twenty-five volumes. But the prophets were wrong. The library grew and prospered. By prospered I mean not merely that its founder did not go bankrupt, but it brought souls into the Church. In 1916, four years later, the librarian removed the books to his own house, and introduced the system of lending by post. Next, in 1918, a special library was built, which was at the same time a reference library and

reading-room for the town, and the centre of a lending system which stretched as wide as the postal service of the world. Books go wherever the Post Office will carry them. In 1917, the year after the postal system started, sixty-six books a day on an average were sent out. In 1920 the average was 197 books a day. The library which began with twenty-five volumes has now over 20,000, and the number in circulation is estimated at over 12,000.

It must take a large staff, it may be said, to keep such a library going. Till a very short time ago the total staff consisted of the librarian, his wife and daughter. Now it has, in addition, a secretary, a cataloguer and a bookbinder.

And what are the rules of the library? They are summed up in one sentence: 'No fees, no fines, no formalities.' You need give no guarantees; you need not even be recommended by a respectable householder. You simply send a name and address, and you get as many books as you want. You need pay nothing but the postage. You keep the books as long as you need them. If you go away for a year and leave them locked up in your home, you are not fined. If you fail to send them back at all you are not prosecuted.

An utterly unpractical system it may be said. Well, let us be unpractical, too, and start an Irish Bexhill or something like it. Twenty-five books should not be hard to come by. We don't want 20,000 to start with. Can we not open a Catholic reference library in a small way, and develop the lending side gradually year by year as Bexhill did? Ireland is, perhaps, the only nation that in these last years has been made more religious by war. We have a full flood-tide for the launching of any Catholic project. There would be details and difficulties to be discussed, no doubt; but discussion should be with a view to action, and not be a substitute for action. 'He that observeth the wind shall not sow; and he that considereth the clouds shall never reap' (Eccles. xi. 4). There are

some difficulties which disappear when treated as Nelson treated the unwelcome signal; and if the difficulties are real, well, difficulties exist to be overcome. Someone will always suggest that there is 'a lion in the way,' or 'a lioness in the roads' (Prov. xxvi. 13); but surely we shall find a Samson.

H. A. JOHNSTON, S.J.

NOTE.—Since the above was written a library, entitled Leabharlann an Chreidimh, or the Central Catholic Library, has been formed at 34 Westmorland Street, Dublin. It has just been opened to the public and possesses a nucleus of some 2,000 volumes. This work depends entirely for its support on the Catholic public for whose benefit it has been created. Its present resources are very modest indeed, but it has high hopes. For fuller information apply to the Hon. Secretary, at the above-mentioned address.



CATHOLICISM IN FRANCE TO-DAY

By STEPHEN J. BROWN, S.J.

II—THE LAITY

IN the present article it is not proposed to attempt a general estimate of French Catholicism, a task beyond the competence of the writer. It is merely intended to place before the readers of the I. E. RECORD certain facts which may contribute to form the basis of such an estimate, and for lack of which many of the views and estimates of French Catholicism, which from time to time appear in the current literature of these countries, are little short of valueless. There is nothing easier than to fling out epithets such as 'French imperialism,' 'militarist France,' 'decadent France,' 'atheist France,' 'apostate France,' and so forth. To substantiate them is another matter. With current taunts of *political* delinquency we are not for the moment concerned.¹ They are more often the product of prejudice or of passion than of study or reflection. The same is true, as a rule, of taunts concerning France's irreligion, here indirectly answered. As will presently be seen, the real state of France, from the religious point of view, is sufficiently sad, apart from the hasty generalisations and unjust exaggerations so thoughtlessly indulged in by hostile writers.²

The present article, like the preceding, is, in the main, based on the Vicomte d'Avenel's remarkable articles in the *Revue des Deux Mondes* (September, 1921), but also draws on various other sources of information.

¹ France's case has been ably and temperately stated by Mr. Denis Gwynn in an article in *Studies* for March, 1922.

² See I. E. RECORD for May. Attention may here be called to an important book just published, *Quinze Années de Séparation*, by Paul Bureau, a zealous and militant Catholic, holding, however, decidedly personal views on the Church question in France. He maintains that separation has been in every way a gain for Catholicism in France.

The first question which naturally presents itself is: How many Catholics are there in France? To which question one is compelled to answer by another: What are we to understand by 'Catholics'? To class as Catholics all who have been baptized into the Church would obviously be misleading, for some of the most militant atheists in France have been baptized Catholics. It will be more helpful to take Catholic as meaning practising Catholic. No doubt there are many degrees in the practice of Catholicism, yet the term 'practising Catholic' has a generally received and fairly definite meaning.

Before the main question can be satisfactorily answered there are certain preliminary facts to be considered. In making generalizations about the state of Catholicism in France a common practice is to lump all France together, an exception being occasionally made for Brittany. This is misleading. For the religious condition of France varies greatly from one district to another. One diocese is fervent, its next-door neighbour indifferent. Thus in the West not only Brittany, but Séez and Coutances in Normandy, and Laval in Maine, in the East Belley, Saint Dié, and Chambéry, in the South Rodez, Mende, Auch, Dax, Cahors are peopled in great majority by practising Catholics. Whereas in such dioceses as Langres, Blois, Sens, Troyes religious indifference reigns. Thus in the last named town of 55,000 inhabitants it is considered excellent if there are 600 Easter Communions of men. In the country districts of the department of the Aube there are few parishes in which so many as two or three men go to their Easter duty. In the department of the Ain, on the contrary, two men out of three and eight women out of ten perform that duty. In this same department there are only four or five civil marriages annually, and only forty not baptized out of a total population of 342,000. On the other hand, in certain outlying districts of the *ban-lieue* of Paris the proportion of the unbaptized varies between forty and fifty per cent.—an appalling state of things.

Then there are dioceses within which, side by side, are

thoroughly religious and thoroughly indifferent parishes. In the diocese of Digne in Provence there are parishes in which *nobody* practises, and others in which practice is universal. In the canton of Surgères (Charente-Inférieure) out of 11,200 'Catholics' only 1,550 go to Mass, and of these only 136 are men; whereas a neighbouring canton, Coyes, counts 2,900 (870 men) who go to Mass, out of a population of 8,300. In Cambrai the country practises and the towns do not. Elsewhere, as we shall see, it is just the reverse.

A generalization often made is that the women frequent the churches far more than the men. This is true in the main, and Catholic writers frequently deplore the fact. Yet it is not universally true. There are districts, not a few, where the men are quite as assiduous as the women. In Cahors, for instance, 95 per cent. of the men go to Mass and 75 per cent. to their Easter duty.

Taking a very rough average, it is true to say (and the same is true of most countries, I think) that women practise better than men, the country better than the town, poor districts than rich, peasants than working-men in the cities. The modern superior critic of religion complacently concludes that Catholicism is for the poor, the uneducated, the simple-minded, for women and children and old men; and that it is destined to be more and more confined to such. As far as France at any rate is concerned, he is making a very big mistake. The simple fact is that the present undoubted revival of religion in France is making itself felt precisely *in the towns, among the educated and especially the intellectual classes, among youths and men.*

To demonstrate this fully would require a book rather than an article, such a book, for instance, as *La Vie Catholique dans la France contemporaine*, edited by Monsignor Baudrillart, 1918, or *Le Renouveau Catholique dans les Lettres*, by the Abbé Laurec, or M. Georges Goyau's forthcoming book, *L'Effort Catholique dans la France d'aujourd'hui*.¹ In

¹ The information collected in the annual *Almanach Catholique*, 480 pp. (Bloud and Gay), 5 fr., is indispensable for this purpose.

any case, observant Frenchmen, such as the Vicomte d'Avenel, the Abbé Thellier de Poncheville, who knows every part of France, and not a few others to whom the present writer has spoken, are quite clear and emphatic on this point. It is not a merely local phenomenon. It is noticeable in practically every part of France—in Burgundy no less than in Normandy, at Orleans as in Champagne, in Roussillon, on the Spanish border, as much as in Lorraine, on the German. Everywhere, according to M. d'Avenel, the religious authorities are unanimous in saying, in the first place, that the number of *men* who practice is notably larger than before the Separation, and, moreover, that this improvement had set in before the War. Hostility has ceased and, even in localities where practice has not yet revived, it has given place to sympathy and good will. Not only has human respect—‘la honte bizarre et toute moderne qu'éprouvent certains croyants à s'avouer tels,’ as M. d'Avenel calls it—practically disappeared, but young French Catholics positively revel in the open manifestation of their faith, a manifestation from which, let it be remarked, there is, from a worldly point of view, absolutely nothing to be gained.

In the next place, it is in the towns that the revival of Catholic practice is most noteworthy. There, too, the progress of Catholic works of all kinds is most apparent. New *œuvres* are ever being created, and find resources readily. Paris gives a million and a half francs for the *denier du culte*, and as much again for other Catholic works. Provincial towns give with like generosity. Money is never lacking for cheap dinners, clothing societies, free dispensaries, libraries, charitable institutions of all kinds. And the exchequers of the many organizations seem to be well supplied. It is precisely in Paris, heart and brain of France, that the religious revival is making most rapid progress.

It is certain that, in general, practice is on the increase. Facts brought together by M. d'Avenel show a decided improvement on thirty years ago, and still more on the

mid-nineteenth century, in the numbers who go to Mass and in the number of communicants. In 1851 out of 350,000 souls confided to his charge, Mgr. Dupanloup could reckon only 45,000 who fulfilled their Easter duty. The number in his diocese of Orleans is now 100,000, and the general population has scarcely increased. The number of Communions is fifteen times what it was. But there is no need to multiply examples. The fact is generally admitted in France.

Thus, to describe the religious condition of France as that of a country where the faith is everywhere slowly dying out, would be a simplification that is not warranted by the facts. But our main question has still to be answered: How many Catholics are there at present in France? Is France still entitled to be called a Catholic country?

In the course of his investigations, M. d'Avenel succeeded in obtaining statistics from sixty-seven dioceses, whose population totals twenty-eight millions. I give his conclusions almost in his own words. Out of the thirty-four million individuals, he says, who people the French Republic, about ten million are practising Catholics, in the full sense of the word.¹ Sixteen or seventeen millions practise partially and intermittently. Seven or eight millions, among which is a small group bitterly hostile to the Church, live without any religion, and, though, for the most part, baptized, are Christians only in name. This can at best be only a somewhat rough estimate, but it is reached after very careful investigation.

Whether such numbers, taken by themselves, entitle France to the name of a Catholic country is a matter on which there is room for difference of opinion. But numbers are not the sole deciding factor in such a question. Account must also be taken of the degree of vitality shown by

¹ The total Catholic population of the British Empire (Ireland included) is, according to the *English Catholic Directory* (1922), 14,186,311, this includes about 3,000,000 of *French* Canadians, as well as over three millions of native Asiatics and Africans. It will scarcely be maintained that all the Catholics so enumerated are practising Catholics.

Catholics as such and of the *quality* of their Catholicism. With a view to contributing towards a fair judgment on this point let us set down some further facts, not all of which are wont to be taken into consideration in judging France.

That there are in France a vast number of Catholics who are very remiss in the practice of their religion is a fact that is abundantly clear from what has been said. It must be set down to the debit side of the account. Its causes are to be sought in the history of France. Some of them must be sought as far back as the days of Jansenism and in the abuses of the old régime. Since then there has been the Revolution,¹ with its awful explosion of all the pent-up forces of evil, and the terrible blow struck at the Church by the creation of a schismatic 'Constitutional' clergy. Then came the long years when the Church was disastrously identified with a hated Royalist régime, which alternately patronized and bullied it. Finally, after the Second Empire and a brief interval of hesitation, during which the bulk of Catholics undoubtedly leaned to royalism, a thoroughly 'lay' Republic, with 'revolutionary' principles, and with Freemasonry at the back of it, rose into power. From the early eighties until 1914 all the immense power of a highly centralized State was turned against the Church. 'Clericalism' was the enemy, on the pretext (not wholly unfounded, we must admit) that clericalism meant royalism. The persecutions, petty and great, of those thirty-five years were 'Republican defence' or 'lay defence,' according to the audience that was appealed to. Religion was steadily undermined in the only place in which it could be effectually undermined, in the school.

But here arises the cardinal objection always made against French Catholicism: its political impotence. A people, it is said, has the government it deserves. That is one of those half-truths which, because of their inevitable false applications, are worse than falsehoods. If we could conceive the impossible and fantastic condition of a whole

¹ 'A truth clothed in hell-fire,' it has been called. Be it so. But a truth soon, and all but totally, obscured, a hell-fire that is smouldering yet.

people, perfectly clear as to all the bearings of the choice before it, perfectly free to choose without pressure of undue influence, perfectly unbiassed by any catch-cries, or by inherited and traditional prejudices, informed merely of the relevant facts by a scrupulously conscientious Press—if this Utopian people should proceed deliberately to choose its rulers, then might we say that it could give itself the rulers it deserves.* But mix politics with religion till no man knows where one begins and the other ends, fling in a strong dash of social aspirations and cupidities, flavour with journalistic propaganda and a due proportion of simple calumny, stir to the required temperature of passion by catch-cries and appeals to prejudice and ancestral hatreds, and then, when your election broth is ready for the consumption of the populace, let the latter go to the polls. The result who can foresee? Practically never in France is there a straight vote between the cause of religion and that of its persecutors. In the nature of the case such a vote is scarcely conceivable. A constituency in which ninety per cent. of the men go to Mass and perform their Easter duty has been known to elect the most radical of anti-clerical deputies, as to-morrow a number of excellent Catholic working-men on the banks of the Liffey might elect a Communist.

What is very remarkable and, I think, little known in Ireland is that at the last election a Chamber was elected containing, as the Abbé Thellier de Poncheville stated in the writer's hearing last spring, practising Catholic deputies to the number of 240, a number which he considered quite out of proportion to the numbers of the Catholic electors (there is, of course, no women suffrage in France). One is tempted to say that the country has a *better* legislature than it deserves. The present Chamber has, as a whole, shown no hostility to Catholicism, and has, among other similar measures, passed, by large majorities, the resumption of diplomatic relations with the Vatican.¹ But it cannot

¹ At the canonization of Joan of Arc 80 French deputies were present in St. Peter's.

immediately disentangle itself from the policy of 'lay' and 'Republican' defence, erected into an article of faith by preceding legislatures.

We have yet to speak of what may be set down to the credit side of French Catholicism. Little space remains in which to do so, but a good deal has been indirectly referred to already. I should like to be able to convey some idea of the multiplicity and vigour of French Catholic organizations and find myself at a loss as to how to do so without wearisome enumeration of titles. I must only omit a multitude of minor organizations and *œuvres*.

There is one respect in which, let it be freely acknowledged, French Catholics are late in the field, and in which a strenuous effort will be needed, if they are to recover lost ground—the organization of the working-classes as such, that is organization on syndical or trade union lines in opposition to the socialistic and anti-Christian C.G.T. (*Confédération Générale du Travail*). But an excellent beginning has been made. There is the *Confédération Française des Travailleurs Chrétiens*,¹ with over 100,000 members and rapidly gaining ground, the *Cheminots Catholiques* (Catholic railway employees), 50,000, the *Union Catholique de la France Agricole*, the *Cercles Ouvriers*, founded by Albert de Mun,² and a big organization of employées in the shops.

But such organizations, with mixed social and religious aims, seem to suit French Catholic organizers less than organizations in which the aim is almost purely religious defence and the intensification of the personal religious life.³ Most of the organizations yet to be mentioned have this as their main aim. There are the excellent Associations (800 of them) of Heads of Families, chiefly for educational defence. There is the *Comité Catholique de Défense Religieuse* and the *Hommes de France au Sacré Cœur*. Above all there

¹ This association does not require that its members be practising Catholics.

² See in *Études*, March 20, 1922, an article by General de Castelnau on the fiftieth anniversary of their foundation.

³ One could hardly conceive in France an organization akin to the Knights of Columbus or the Ancient Order of Hibernians.

is the magnificent A.C.J.F. (*Association Catholique de la Jeunesse Française*), with its 150,000 members, of whom 100,000 went to the front. Its motto is *Piété, Étude, Action*; and there can be no doubt as to its enthusiastic Catholicism.

Catholic women's organizations are no less flourishing. I can mention only the four principal: the *Ligue des Femmes Françaises* (400,000), the *Ligue Patriotique des Françaises* (500,000), the *Action Sociale de la Femme*, and the *Fédération Jeanne d'Arc*. There may be a Catholic women's suffrage society, but I have not heard of it.

All these Catholic works and organizations are carried on by incessant Congresses, 'Semaines,' 'fédérations,' etc., etc. Thus, to mention a few at random (it has not been possible to keep any continuous record), there was in the spring of 1921 the Congress of Catholic Writers,¹ a wonderfully inspiring gathering at which the writer had the good fortune to be present; in the summer the *Fédération Gymnastique et Sportive des Patronages (catholiques) de France* held a *concours* at Strasburg, at which 18,000 gymnasts competed; in the autumn a *Semaine Sociale* at Toulouse brought together twelve hundred leaders in social work. All the works above referred to, and many more besides, have their annual general congresses as well as innumerable local congresses and meetings.

I do not think the Catholic press has ever been so flourishing as it is at present. It counts two ultra-Catholic dailies, *La Croix* and *La Libre Parole*. But one after another of the great 'neutral' dailies has dropped its anti-clericalism, and the *Almanach Catholique* (1922) is able to reckon as satisfactory from a Catholic standpoint, and as giving fairly the religious news, such important papers as the *Echo de Paris*, *Figaro*, *Gaulois*, *Journal des Débats*, and the Royalist *Action Française*. In the world of the high class and intellectual review, so flourishing in France, Catholicism is quite in the ascendant. It has on its side

¹ It has been held this year from the 13th to the 18th of June, and the presence of Irish writers was very much desired. The address of the Secretary is M. Gaëtan Bernoville, 5 Boulevard des Italiens, Paris.

the greatest of all, the *Revue des Deux Mondes*. Any country might well be proud of such reviews as *Les Lettres*, *Les Études*, *La Revue des Jeunes*, *La Revue Universelle*, *Le Correspondant* (oldest and most important of all), *Les Cahiers Catholiques*, *La Démocratie*. Then there are weeklies, such as *La Documentation Catholique*, *La Jeune République*, *La Revue Française*, *Nouvelles Religieuses*, to say nothing of the many reviews intended chiefly for the clergy or of the periodicals, nine or ten in number, devoted to liturgical matters. Professedly Catholic periodicals are, if anything, over-religious. The popular side of journalism might, indeed, be better developed, but the *Bonne Presse* with its *Pèlerin*, and more than a dozen provincial dailies, and the *Action Populaire*, with its *Peuple de France*, are looking after that department.¹ Every Catholic *œuvre* and organization seems to be able to maintain a periodical. The *Almanach Catholique* enumerates some thirty of these *revues d'œuvres*, some of which are equal in every respect to first-class general reviews.

The efforts made by French Catholics in the field of education would require an article to themselves. For higher education they have the five *Instituts Catholiques* (Paris, Lille, Angers, Toulouse, Lyons), fully equipped Universities in all but the name. These institutions, though harassed and hindered in many ways by the State, have done wonderful work. To them, more than to any other cause, is due the great revival of Catholic literature. By the anti-clerical legislation of the opening years of this century a terrible blow was struck at Catholic secondary and primary education, from which it would be idle to pretend that they have completely recovered. But they are certainly very far on the road to recovery. The colleges of certain 'congregations' expelled twenty years ago are to-day more crowded than ever. The writer had the good fortune to visit last year a fine college at Versailles, where 500 young men of from sixteen upwards are preparing for

¹The circulation of *Peuple de France* rose from 800 in Jan. 1921 to 9,900 in Jan. 1922. The *Action Populaire* sells an average of 5,000 pamphlets a day.

the Army and for various liberal careers. The famous Collège Stanislaus, in the heart of Paris, has over 800 pupils, and it is but one out of many such colleges in Paris. The teachers of the *Enseignement Libre* (another way of saying Catholic Education) are now powerfully organized.

But more remarkable than this recovery of Catholic education has been the Catholic revival within the official educational world. The great public schools, the Polytechnique (College of Science), Ecole Normale, Saint-Cyr, etc., where once practising Catholics were a despised minority are now little short of hot-beds of Catholic revival. Catholic students and cadets no longer fear to practise their religion openly, Catholic chaplains have free access and are treated with respect. Last spring, to take an example, 250 students of the Ecole Polytechnique did, in a body, the all-night adoration in the Basilica of the Sacred Heart at Montmartre. At the Easter Communion Masses this year (1922) 900 pupils and ex-pupils of the Ecole Centrale (a Government institution) were present in Notre Dame, while in St. Etienne du Mont there were 800 Polytechnicians. At Notre Dame on this occasion Marshals Foch and Franchet d'Esperey went to Communion with the crowd. The Catholic teachers of the official system are now as well organized as their brethren of the *Enseignement Libre*. Finally, there is as much piety in certain *lycées* as in wholly Catholic schools.

I do not know if it be a sound principle to judge of a given body of men by its *élite*. At all events, the French laity would, I believe, come well out of such a test. To take only the last century, what country in the Catholic world can point to a succession of Catholic laymen comparable to that of France, from Montalembert and Veuillot and de Sonis and Lamoricière to de Mun and Foch, Denys Cochin (*R.I.P.* March, 1922) and Georges Goyau, René Bazin and Paul Claudel? *Quality*, when all is said, cannot be evaluated by figures and facts. It must be experienced by intimate contact. The writer can only say that, as far as his

experience during five years' residence among Frenchmen goes, he is convinced of the magnificent qualities, tempered by certain national shortcomings, of French Catholicism.

Finally, it is easy to say hard things of France, but Catholics at all events ought not to forget that to France they owe much of what makes the warp and woof of their own Catholic life to-day. France, a France perhaps little better than the France of to-day, gave us, under God, the devotion to the Sacred Heart, with all that it implies. It has given to the Catholic world, in our own days, Lourdes and the Curé of Ars and the Little Flower. We owe to it the Apostleship of Prayer, the work of the Propagation of the Faith, the Society of St. Vincent de Paul, and innumerable private devotions that have been the stay and solace of countless souls the world over. Perhaps nearly half of the religious Orders and Congregations at work among us are French in origin. What more French than the Little Sisters of the Poor, the Sisters of Charity of St. Vincent de Paul, the de la Salle Brothers?

France still supplies two-thirds of the Catholic missionaries of the world and five out of the eight million francs contributed by the world to the Propagation of the Faith. French influence stands for Catholicism throughout the Near East, which her missionaries have filled with schools, colleges, and institutions of charity. And over the Far East too, India and Indo-China, China and Oceania, the net of her missionary influence is spread far and wide. Her output of Catholic literature is vast and of better quality, I venture to say, than at any period since the great days of Bossuet. Not only the Latin countries but even the English-speaking Catholic world is largely nourished on that literature.¹

The writer is only too well aware of the evils which ravage those elements of French society that have wholly lost the faith—alcoholism and juvenile crime, divorce and the decline of the birth-rate. But it is mainly in Paris

¹ A good example is the Life of Christ. We should indeed be badly off without Fouard and Le Camus, Didon, Ollivier, and the rest.

that these evils prevail, and we must not lose sight of the huge foreign element in the population of Paris. At all events, we do not think that London, Berlin, or New York can afford to cast the stone of righteous moral indignation at the capital of France. As regards the decline of the birth-rate in particular, Catholics, and indeed all Frenchmen of good will, are making strenuous efforts to combat the anti-Christian and immoral propaganda which is largely responsible for it. A variety of organizations having this end in view have sprung up. There is the *Alliance nationale pour l'accroissement de la population française*, the *Ligue des Familles nombreuses*, the *Ligue des Droits de la Famille* and the associations entitled *La Plus Grande Famille*, and *Pour la Vie*.

France is sorely stricken by the great War, far more sorely stricken than any of the great nations that took part in the struggle.¹ May she, like a seed that falleth into the earth and as it were dieth, spring up once more to fresh life, spiritually regenerate.

STEPHEN J. BROWN, S.J.

¹ Austria is perhaps an exception. Russia does not owe her present plight solely to the great War.

ST. RUMOLDUS OF DUBLIN—BISHOP AND MARTYR

By J. B. CULLEN

IN the accounts handed down to us of the first centuries of the Irish Church, and in the several calendars in which the names of our national saints are preserved, it is very remarkable how few martyrs are commemorated. Writers of ecclesiastical history, alluding to this fact, frequently notice that Ireland was the only spot, in the whole of Christendom, where the Gospel took possession without resistance or bloodshed. The introduction of the faith, which in other countries brought Christians to martyrdom, in Ireland led them into monasteries and sanctuaries of peace. This justifies us in thinking that Divine Providence facilitated in a special manner the conversion of this chosen people, whom He destined to carry the light of faith and learning over land and sea, and to regenerate whole nations, whose children were steeped in the darkness of paganism, superstition, and idolatry. The limited number of our early saints who were privileged to clasp the palm of martyrdom, for the same reason, were, it would seem, forced to seek the prize they coveted in lands far beyond the encircling seas of their native isle. St. Rumoldus was one of these.¹

St. Rumoldus was born about the close of the seventh century. His father, Datha, was then King of Leinster, his mother being daughter of the King of Cashel. The faith of Christ was well established throughout Ireland at the period of the Saint's birth, an event which was attributed to the miraculous efficacy of prayer. His parents were advanced in years, and had long abandoned the hope

¹ The name of the Saint takes various forms : Rumoldus (Latin), Romoel (Irish), Rombaut (Flemish), etc.

that one of their line should succeed to the throne of Leinster. Both were excellent Christians and, through the influence of their position, rendered, in these remote times, great services to religion. Gaulafer, the saintly Bishop who then occupied the See, which then represented that of Dublin at the present day, was the fastest friend of the worthy King and Queen. In his efforts to promote the moral and religious welfare of his people they were always ready to aid him. The saintly prelate, consequently, often thought within himself how great a change might take place, in religious matters, after the death of King Datha. The laws of tanistry regarding the succession might, he foresaw, possibly transfer to less worthy hands the sceptre of his kingdom. The fervent and constant prayer of the zealous Bishop was that this misfortune—if God's Will—might be averted. His petitions were heard, and great was the surprise and joy throughout the province when the birth of a prince was announced. The infant prince received baptism at the hands of the saintly Bishop who—like Holy Simeon of old—rejoiced that he had lived to see the auspicious day he had so ardently longed and prayed for. When our future saint came to the years of reason, his parents entrusted his spiritual training and education to Bishop Gaulafer. In addition to the training in the ways of religion and virtue, instructions in the science of war and government were not neglected. The boy, on his part, gave early promise of being a wise and capable ruler. But, as we shall see, the ways of men are very often not the designs of Divine Providence.

When his education was completed, Rumoldus passed the remainder of his early life in his royal home. The comeliness of his person and the excellence of his disposition had more than ever endeared him to his parents, no less than to his tribesmen, who looked forward to the day when he should be their king.

However, in his inmost heart, Romoel craved not the honours of the world nor the wearing of a royal crown. To the surprise of his countrymen, and despite the tearful

remonstrances of his loving parents, the young prince determined to forsake his beloved home and embrace the religious life.

We are indebted to foreign sources for most of the particulars that weave around our pen in this brief sketch of our Saint's career. His wonderful sanctity, humility, and austerities are spoken of with lavish admiration by all his biographers. On the death of Gaulafer, Rumoldus, being then a priest, was unanimously chosen as his successor, and so conspicuous were his wisdom and talents that, when his royal father died, the chieftains and people of Leinster determined to accept no other than the Prince-Bishop of Ath-Cliath for their king.¹

However, Rumoldus, who at his ordination had renounced his claims to earthly honours, would not hear of the popular demand. The people, on their side, insisted that he should fill jointly the office of king and bishop. It was an hour of great trial to the Saint, during which, it is related, he was frequently sustained and comforted by miraculous visions, and was often favoured by visits from the ministering angels of God.

Casting his cares on God and fervently invoking the Divine guidance, at length a life's decision was made. Rumoldus determined to steal away from his native country, whose people, in their boundless admiration for his holiness and virtue, compelled him to chose exile in order to escape the dignity they would fain force upon him. Disposing of such personal possessions as he had, and without making known his intentions to anyone, he left Ireland for ever. Crossing the dividing seas between Ireland and the Continent, he directed his footsteps along the usual route of pilgrims in those days—through Flanders and along the banks of the Rhine—till, at last, he reached Rome. His visit to the Eternal City was made for the purpose of laying his future projects before the Vicar of Christ. Moreover, we must remember that he was still

¹ This dual office is mentioned elsewhere in Irish history, as in the case of Cormac, King-Bishop of Cashel.

Bishop of an Irish diocese, and then, as now, he could not renounce his sacred office without the sanction of the Holy See. Stephen III was, at that time, the reigning Pontiff (752-757), by whom Rumoldus was received with paternal affection and veneration. Divesting himself of the *insignia* conferred upon him at his consecration, he laid them at the feet of the Pope, whom he besought to release from his episcopal charge. Having fully explained the motives that impelled him to come to this resolve, he humbly petitioned the Pope that he might be granted the apostolic commission to retrace his steps to Central Europe, and there preach the Gospel in some of those countries where—in his Romeward journey—he found the inhabitants practising the darkest forms of paganism. Realizing that the holy man was evidently inspired to do great things for the sake of Christ, the Holy Father yielded to his entreaties, and, furthermore, gave him permission to choose the place of his future mission, wheresoever he felt himself called upon by Almighty God to labour for the salvation of souls.

Rumoldus, giving thanks to Divine Providence, earnestly besought Heaven that the scenes of his future career might be made known to him. In answer to the Saint's prayers it was revealed to him that his mission would lie in that part of Belgic Gaul (now the Netherlands) where the rivers Scheldt and Dyle, in their final course, enter the sea (at present the harbour of Flushing). When he had paid his final visits to the shrines of the Apostles, and the tombs of many martyrs, Rumoldus, with the blessing of the Vicar of Christ, set out on his return journey till he reached the Province of Brabant. Here, as he came in sight of the river Scheldt, he recognized, by Divine intuition, the scene of his future mission and 'the place of his resurrection.' Not far from the banks of the river Dyle (a tributary of the Scheldt) he took up his abode, forming a little wicker cell, and beside it a tiny oratory, on the spot now marked by his cathedral tomb. This was the origin of the city of Mechlin (or Malines), whose site was then but a dreary

scene. Away from the river sides stretched a waste of desolate moorlands. The district was then scarcely inhabited, and the melancholy silence of the surroundings was broken only by the shrieking of water-fowls or the nightly howlings of wolves and other beasts of prey.

The province of Brabant was, at this time, governed by an excellent ruler, Count Ado, who came of the race of the famous Pepin of Heristal. Although Ado's subjects were almost entirely pagans, the Count himself was a Christian. When, after some time, the advent of Rumoldus became known in Brabant, and the news reached the ears of the ruler of the province, the latter's heart was filled with joy. Losing no time, Ado and his worthy consort hastened to seek the Saint and testify their happiness at his arrival. When Rumoldus unfolded to them the heaven-directed object of his mission, both gave thanks to Almighty God for the blessing vouchsafed their people, and for which they had long ardently prayed. Moreover, the worthy pair promised to do all that lay in their power to aid and promote the work our Saint had at heart. From the day of their meeting till the close of Rumold's life, Ado became his dearest friend.

The charity and generosity of the Count and his spouse found favour with Heaven, and, as a proof of this, Almighty God vouchsafed them a great earthly and unexpected joy. Though married for many years their union was not blessed with children ; but shortly after the time of which we write a son was born to them. Beyond the happy parents themselves no one rejoiced more than the grateful Rumoldus, and it was the pious belief of all that the child was the gift of his prayers. The ceremony of holy baptism was performed by our Saint, who conferred on the little boy the name of Libertus. In gratitude for the goodness of God, in their regard, the zeal of Ado and his wife was doubly increased in promoting Christianity throughout Brabant.

Like most of the tribes of Northern Europe, the people of Brabant were, at this period of history, worshippers of

the pagan god *Woden*.¹ The Danes, as we know ourselves, were ardently devoted to the service of this false deity in Ireland, before they embraced Christianity. It is noteworthy in history that among the followers of this form of superstition many were possessed of evil spirits ; and in his missionary labours Rumoldus, it is related, was often called upon to do battle with them. The miracles that crowd upon the pages of the Saint's life, if enumerated here, would carry our pen far beyond the limit of this cursory narrative. Many and beautiful are the legends still preserved in the pious traditions of the Netherlands of the wondrous events that marked the foreign mission of our Irish Saint. They form the subject of many an artist whose works adorn the walls of the churches dedicated in his honour, or fill the pictured windows of those noble temples of God. The one, perhaps, oftenest portrayed is the miracle of 'Count Ado's drowned child.' Thus the legend runs :—

Not far from the abode of St. Rumoldus was the hermitage of Gundemar, a venerable recluse. There was much communion of spirit between the two holy men. Often when, perhaps, wearied with his toils, our Saint would stray across the dreary waste to meet his friend at a spot marked by a spreading oak tree, beneath which both conversed on heavenly things. It was here, one summer's evening, that the news reached them of a great calamity that had befallen Count Ado. Libertus, the joy and hope of his parents' hearts, was accidentally drowned, and his body borne away by the fatal waters of the Scheldt !

Rumoldus was grief-stricken when he heard the sad tale. He dearly loved Libertus ; and as few more than he rejoiced at the child's birth, none, save his bereaved parents, sorrowed more at his untimely end. Hurrying to the scene of the accident, where crowds of mourners had gathered and were seeking for the body, Rumoldus raised his eyes to heaven and prayed that the sullen waters might yield up

¹ Our week-day *Wednesday* derives its name from this false god.

the beloved dead. Suddenly, to the joy of all present, the child arose and stood before the multitude, says the old chronicler, 'alive and unharmed'! This miracle received an everlasting remembrance in Belgium, and in the ancient liturgy of the Church it finds commemoration in the Votive Mass of St. Rumold.

The report of the miraculous occurrence was soon spread far and wide—the *calling of the dead to life*, as in Galilee of old, through the power of the living God, in answer to the prayer of His servant, and was followed by the wholesale conversion of the peoples among whom Rumoldus laboured. Unspeakable was the gratitude of Ado and his countess. Gifts of gold and silver, as well as grants of land, were placed at the disposal of the Saint, whom they regarded as their intercessor before the throne of God for the restoration of their child from death to life. The Saint, however, declined to accept those earthly gifts as personal favours, but suggested that all might be devoted to the erection of a church and the founding and endowment of a monastery. Needless to say, the holy desire of Rumoldus was unhesitatingly granted. Being always full of veneration for the martyrs of the early Christian Church, our Saint dedicated his new foundation in honour of St. Stephen. Soon numbers of aspirants entered the monastery, and in later years it is not surprising to find on the roll of Rumold's community, the name of the child of prayer—Brother Libertus.

Rumoldus, who was instrumental to such an extraordinary degree in fulfilling the designs of God, was, alas! destined to close his marvellous career with the seal of martyrdom. His powerful remonstrances and denunciations of immorality aroused a fierce animosity against him on the part of one of the nobles of the province. Blinded with the desire of revenge, he plotted the death of the holy man. Hiring some accomplices, wicked as himself, they watched their opportunity to waylay the saintly abbot, and, one evening, finding him in a lonely place, as he was returning to his monastery, they seized him, and carrying

him into the depths of a neighbouring forest, murdered him! In order to conceal their crime the miscreants then brought the body to the riverside and sunk it with heavy weights at a spot overhung by spreading trees. However, when the darkness of night set in, a mysterious flame of light was seen to hover above the spot, which attracted the notice of some fishermen. Night after night the light appeared at the same part of the river. The report of the occurrence soon spread.

In the meantime, the unaccountable disappearance of the abbot from his monastery gave rise to various misgivings as to what might have happened him. One night Count Ado, accompanied probably by some of the monks, having elicited the willing services of a few fishermen, rowed out to the spot over which the light appeared, for the purpose of dredging the river's bed. The sad conjectures they entertained proved, alas! too true. In the very place, the body of the Saint was drawn up to the surface of the water! The precious remains, followed by his sorrowing monks and his beloved friend Ado, were at once borne to the church of St. Stephen, where they were eventually laid to rest. In the sacred calendars of the Church his death is registered under date June 24, 775.¹ Since the martyrdom of St. Rumoldus the people of the Netherlands have been faithful to his memory. In century after century his jubilees have been celebrated with becoming splendour and devotion, and were observed as national festivals. *In his native Ireland his existence is almost forgotten.*

The cathedral of Mechlin is the noblest, and probably the costliest, monument ever erected to the memory of an Irishman. The present structure, on the original site of St. Rumold's monastery, was begun in the thirteenth century, but was, to a great extent, rebuilt in the fourteenth and sixteenth centuries, and it has been the

¹ It is remarkable that the death of St. Rumoldus, who always had so much devotion to the early Christian martyrs, fell on the feast of the 'beheading of St. John the Baptist.'

archiepiscopal metropolitan church since 1560. Above the great altar of the cathedral the relics of the Saint rest in a costly shrine. Despite the outbreaks of revolution which have so frequently desolated Belgium, the remains of the Patron of Mechlin were never desecrated. Whenever the hour of danger was at hand, faithful sentinels were always ready to secure and conceal those treasures of a nation's faith. The various shrines in which the relics were preserved were objects of strange vicissitudes from time to time. In the year 1528 the Reformers, under the Prince of Orange, despoiled the reliquary of its costly jewels. Again, in 1793, another casket, more beautiful than the first, was carried off to Brussels, by the French, and there melted down. The present casket, an exquisite work of art, was wrought by a celebrated goldsmith of Mechlin, and rests, as we have already said, over the high altar of the church. In the south aisle of the cathedral a series of twenty-five panel paintings adorn the walls. These were executed by famous Flemish artists (fifteenth and sixteenth centuries), and having been removed to Paris by the French, were restored in 1813.

The chimes of the cathedral tower rival those of Bruges, as the finest and most perfect in Belgium. It may be noted that St. Rumold's cathedral, among the many works of religious art that adorn it, contains, in the south transept, 'The Crucifixion,' by Van Dyck, which is admitted to be the great artist's masterpiece. It is a marvellous composition—every detail of the picture bears the closest inspection.

In an earlier part of this essay we remarked that St. Rumoldus is seldom thought of in Ireland, and perhaps we might add that only a limited amount of veneration is accorded him in the land of his birth. But, in touching upon this subject, it is pleasing to note that in one church of the metropolitan city of Ath-Cliath (the ancient territory over which he once ruled as Prince-Bishop), the church of Rathgar, a fine life-size statue of this royal saint and martyr may be seen in one of the niches of the triforium of the sanctuary. It stands at the extreme right, facing

the figure of St. Laurence O'Toole. The three intervening recesses are fitly occupied by the figures of the 'Three Patrons of Ireland,' to whom the parish is dedicated. This shows that our Irish Saint had not escaped the thought of the learned and venerable Dean Maher, P.P., through whose zeal the fine classic church of Rathgar as well as that of Rathmines were erected just a century ago (1822).

It is regrettable that the names of the saints of Ireland are not remembered by Irish parents when giving names to their children at baptism. Perhaps, this suggestion might be more effectively carried out if children were given names chosen from the Irish calendar of saints on the festal day of Confirmation. This custom, if more generally adopted, would give the youth of Ireland a deeper interest in the lives and virtues of the saints of the land that bore them.

In the advent of the brighter times that are dawning over the destinies of Ireland, the history of the country will need to be re-cast or re-written. Hitherto, for centuries past, it was the policy of alien rulers to stifle the national aspirations of our nation, to suppress the use of its native language, and blot away the memories of the glorious achievements of saints and sages, heroes and scholars, who once won for Ireland the right of being styled 'the light of Western Europe.' That day is happily gone. The story of Ireland, her glories and sorrows, and the speaking of her native tongue will be no longer

. . . bann'd and barred—forbidden fare.

Let us hope that in the near future a full and impartial history of Ireland will be compiled by competent scholars and willing pens. Manuscript materials for such a task are available in abundance. In days of political troubles and of religious persecution these national treasures were scattered through the libraries of the Continent—Rome, Milan, Vienna, Salamanca, Switzerland, Brussels, Louvain,

and other university centres. Not a few may be found nearer home, at Oxford, the British Museum, London, and in Trinity College, the R.I. Academy, and the Franciscan Library, Dublin.

Over many of these vellum pages, in far-off times, our ancient scribes spent long years of incessant labour and literary toil. May we hope they may be yet, *and soon*, unfolded and their contents brought to light. *Speramus.*

JOHN B. CULLEN.

SIDE-LIGHTS ON THE OLD IRISH PARLIAMENT

BY MICHAEL MacDONAGH

PRIVILEGES AND DISABILITIES OF THE COMMONS

THE records of breaches of privilege in the Commons Journals of the Old Irish Parliament are of human as well as historical interest. They speak in the voice of a time long past, with their odd blend of the serious and the fantastical, and they have the further attraction of illustrating moods and ways which, to us, are singular and quaint. People had to be very circumspect, in action and demeanour, when they encountered a Member of the Old Irish Parliament. Not only was it most likely that the Member himself was hot tempered and thus disposed to be resentful of the slightest sign of disrespect, but what is more to the purpose, he had at his back the immense punitive force of the privileges of Parliament. To lay hands in roughness on a Member was indeed a high crime and misdemeanour. A remarkable case of the kind is that of Laurence Lambert, the Provost Marshal of Dublin, who was brought to the Bar of the Commons on August 10, 1642, charged with seizing a door-case in the shop of Thomas Johnson, Wine-tavern Street, and also with having at the same time grievously maltreated the owner of the shop, who was a Member of the House, and, evidently, of Welsh nationality. The door-case was claimed by another tradesman, Alderman Robert Arthur, of the Dublin Corporation, as his property. Why Lambert took upon himself the part he played in this dispute between two civilians is not explained in the reports of the transaction. A Provost Marshal is a military officer appointed to maintain order in Army camps,

and carry out the sentences of military law ; and Lambert ought to have had enough to do at the time, attending to his duties, for there was assembled round Dublin a large force of the troops of Charles I, under the command of James Butler, the twelfth Earl and first Duke of Ormonde, intended to be used against the Catholic Rebellion, which was then menacing the hold of England on Ireland. It seems, however, as if Lambert acted in the matter as the agent of the Dublin Corporation. Johnson told the House of Commons a whimsically doleful story. He said Lambert dragged him out of his shop, and through the streets, by the hair of his head, and in his indoor clothes, without hat or cloak. Lambert, in reply to questions put to him at the Bar, admitted that in his passion he might have pulled the Member of Parliament by the hair of his head. 'Did he tell you he was a Parliament man?' 'No,' was the reply. 'Did you say Mr. Johnson was a thief, and that you had hanged a better man than he?' 'I did not call him a thief, but I say'd a tailor was as good a man as a Welsh-man,' replied Lambert, having in mind, no doubt, the old imputation that a tailor is but the ninth part of a man.

The Committee of Privileges, to whom the matter was referred, reported to the House that 'the presumption of the said Laurence Lambert in abusing the said Mr. Johnson was a great offence against the privileges of the House.' The House committed Lambert to the Marshalsea, and ordered that on the next market-day he was to be taken out of the prison 'without hat or cloak' and brought to the gibbet in the Cornmarket and there made openly to acknowledge his offence. After this public degradation he was to be brought to the Bar of the House and on his knees to ask the forgiveness of the House. He was also to pay in fines, £100 to the King, and £100 as compensation to Johnson. The House further decided to petition Ormonde, who was Lord Lieutenant as well as Commander of the Forces, to deprive Lambert of the office of Provost Marshal. But the Corporation brought

influence to bear upon the Viceroy, and through the good offices of his Excellency the Commons were induced ultimately to remit the fines, and be satisfied with the humiliation of Lambert privately rather than publicly. When Lambert was again brought to the Bar, in custody, he knelt down and the Speaker thus addressed him :—

You are now at the Bar of Mercy. In the first place, you are to confess the sentence to be just; and then in particular to ask forgiveness (as you now are) of Mr. Thomas Johnson, Member of this House; and likewise, in general to ask forgiveness of the whole House; and also to fall down on your knees before the most Honourable the Lord Lieutenant, and to express your most humble thankfulness to his Excellency for this his great favour and goodness extended towards you.

Members of the Irish House of Commons enjoyed various privileges, not only in their collective capacity, but individually, which made them quite a class apart from the general body of the community. All these privileges were intended to support the authority of Members of Parliament, and the proper exercise of the functions entrusted to them by their constituencies, and, indeed, were necessary for that purpose; but some of the privileges relating to the dignity of Members, individually, by protecting their persons from assaults and insults, and their property from seizure, shielded them from those worries and inconveniences which, in all ages and places, have attended persons suffering from the common lack of pence. A creditor, for instance, had no redress against a Member, or even against a Member's servant, during the Session and for many weeks before and after it. These privileges were first established by the ancient law and custom of Parliament, and subsequently were confirmed, or further defined, by standing order or statute. Their effect was to give Members of Parliament, when in debt, an enviable sense of ease and security. Being immune from all actions at law, they were able to set their creditors at defiance. This was an immense boon at a time when a creditor could clap an insolvent debtor into prison, and leave him there

to starve, if he were unable to obtain food from his relatives or the charitable.

At Westminster, even to this day, every newly-elected Speaker, standing at the Bar of the House of Lords, claims for the Commons 'their ancient and undoubted rights and privileges,' such as freedom of their persons and their servants from arrests and molestations, liberty of speech in their debates, and access to the King's royal person whenever occasion shall require; and the Lord Chancellor, speaking in the King's name, willingly confirms the Commons in the possession of these privileges. In the earlier Irish Parliaments similar claims were made by the Speaker, when presented to the Viceroy at the Bar of the House of Lords. They were made also in the later Irish Parliaments. The Lords Journals show that at the meeting of the first Irish Parliament after the English Revolution—the Parliament that laid down the forms and usages which governed all subsequent Parliaments till the Union—the Speaker, Sir Richard Levinge, made 'the usual requests,' and prayed 'the Commons may have freedom of speech in their debates; that they and their servants may be protected in their persons and goods, and have the benefit of their ancient privileges, and may have access to his Excellency's person upon all necessary and urgent occasions,' The Lord Chancellor, 'kneeling, conferred with his Excellency' and then 'standing on the right hand of the Chair of State' announced to the Speaker 'that his Excellency has granted all his petitions, and desires that the Commons may go together and proceed with all cheerfulness.'

By an Irish statute of the year 1463—3 Edward IV. chap. 1—it was provided that the Members of the Irish Parliament, like the Members of the English Parliament, were to be 'impleaded, vexed or troubled by no man' during the Session, and from forty days before until forty days after it. Over one hundred and fifty years later the Irish House of Commons amplified the beneficent interpretation of this Act in their own regard to the extent of

declaring by resolution, and having it entered in their Journals,

That the said privilege shall extend to all Members of this House, their servants, goods and possessions, for forty days before the beginning of every Parliament, and for forty days after the end and dissolution of the same ; and likewise for the whole space of time between the beginning and end of the Parliament, as well during the time of every adjournment and prorogation, as during the time of every Session ; and they ended by saying—that the same ought to be allowed, accordingly.

It was so allowed. In the first volume of the printed Journals, relating to that very Parliament which passed this sweeping resolution—the Parliament which sat from 1612 to 1615—there are many records of Members seeking redress, for that they, or their servants, had been annoyed or molested, or had their goods seized, by persons to whom they owed money. Here is Sir Francis Rush complaining on October 29, 1614, that one, Thomas Gibbes, a servant of his, was arrested in an execution for debt. It was ordered ‘that the Serjeant of this House shall go with his Mace to the prison, and to bring as well the prisoner as the officer that arrested him, and the creditor Carey, to the House.’ Smart punishments were imposed upon the delinquents. Carey and his bailiff, who made the arrest, were committed to prison until they paid £10 compensation to Gibbes. More than that, the attorney, upon whose instructions the bailiff seems to have acted, was sent to jail during the pleasure of the House, and required to pay to Sir Francis Rush—the Member aggrieved by the arrest of his servant—“the sum of nine and thirty pounds, ten shillings sterling,” before he was let go. In like manner, on November 3, 1614, Richard Morgan and Teigue O’Murrey were brought to the Bar and ‘charged by the Speaker for their contempt in disturbing the possessions and distraining and taking away the goods of William Talbott, Esq., being a Member of this House.’ They were committed prisoners to the Marshalsea, there to remain during the pleasure of the House.

Almost every injury in act or word done to a Member of Parliament was a breach of privilege. To quote some

cases taken at random from the Journals—turning a water-course, picking up wreckage on the seashore; shooting rabbits; fishing in trout streams on the lands of Members, were brought to the notice of the House, and by having the delinquents thus punished the Members concerned saved themselves the cost and time of civil processes. Fraud, oppression and other injustices must have been common in such a state of things. Even though a Member were willing that a creditor, or any other person with a grievance against him, should take action in the law courts for redress or damages, he had first to get an order from the House giving him permission ‘to waive his privilege.’ This resolution was passed in 1695. Greatly to the credit of Members, the Journals show that many of these applications were made. Indeed, so widespread was the feeling that Members ought not to try to evade their just obligations by sheltering themselves behind their privileges, that three months later the following additional amendment was adopted: ‘That every Member of the House who shall think fit to waive his privilege in any suit brought against him during the Recess of Parliament have leave to do the same.’

Still, to take action against a Member during the sitting of Parliament, and thereby hinder the discharge of his duties to his constituents, remained a breach of privilege. In the course of the eighteenth century, however, some other limitations to the privilege were imposed by statutes. An Act passed in 1707—6 Anne chap. 8—provided that while no Member could be arrested or imprisoned during his privilege, it was lawful to distrain his goods and chattels on a judgment for arrears of rent. Under another Act, passed in 1728—1 Geo. II, chap. 28—a Member might be sued within a period extending from fourteen days after a prorogation or dissolution to fourteen days before the next meeting of Parliament. In 1772 the use of privilege as a protection against civil liabilities was practically abolished. The 11 and 12 Geo. III, chap. 12, enacted that suits against Members commenced in any Court should at

no time 'be impeached, stayed or delayed by, or under colour or pretence of, any privilege of Parliament.'

As regards the servants of Members, resolutions passed in the early years of the eighteenth century support the impression given by a study of the breaches of privilege brought to the notice of the House, and recorded in the Journals, that it was not uncommon for Members to help a neighbour in trouble with creditors by giving him the protection of a servant. In 1704 the Commons declared all such protections to be null and void. 'To prevent the mischief that may arise in the Kingdom by the interruption of justice and hindering the subjects from the recovery of their just debts by means of protections,' it was resolved, 'that no person be protected by any Member of this House that is not a menial domestick servant of such Member receiving wages.' Furthermore, protections of personal servants had to be entered with the Clerk of the House. Evidently the abuse was not entirely put an end to, for in 1715 it was declared that 'if any Member shall protect any person who is not a domestic menial servant such Member shall incur the highest displeasure and censure of the House.' An earlier resolution, adopted when the Irish Parliament was busy enacting the Penal Laws against Catholics, laid down 'that it was contrary to the rules of the House for a Member to give protection to a domestic servant who is a Papist.'

To abuse a Member, or call him to account for words spoken in the House, was regarded as a very grievous breach of privilege. On October 29, 1614, Joseph Warren, 'one of the burgesses for Navan,' complained of having been abused in Fishamble Street, Dublin, by one George Low. The House ordered that Low be publicly whipped at the spot where he was insolent to the Parliament man. Is it any wonder that Members should have had a glorified notion of their own importance? But the time came when men arose who were imbued with the democratic spirit of the French Revolution and the American Rebellion; and, therefore, disposed to show scant respect

to Members opposed to their political ideas. Looking through the Journals, my eye was caught by the famous name of James Napper Tandy, the United Irishman, in association with a breach of privilege of that nature. 'Having presumed to demand an explanation from John Toler, Solicitor-General, for words spoken in debate,' was the charge made against Tandy.

Toler was afterwards the brutal 'hanging Judge,' Lord Norbury, the Chief Justice. It was his custom to assail his opponents in Parliament with the same coarse humour of the sentences by which from the Bench he doomed many a poor peasant to death. Tandy's features, which were of a strong, uncommon kind, were the subject of a characteristic example of Toler's jocose buffoonery in the House of Commons. Early in 1792 there was a debate on a petition for Catholic emancipation. The Solicitor-General spoke in opposition, and attacked Tandy for his zeal in support of the Catholics. 'We are not this day to be taught,' said he, 'by political quacks who tell us that radical reformatations are necessary in Parliament. I have seen papers signed Tobias McKenna, with Simon Butler in the Chair, and Napper Tandy lending his countenance.' Toler added, 'It is odd they could not contrive to set a better face on the matter.' These pointed allusions to Tandy's personal looks set the Government benches in a roar.

Toler was asked by Tandy for an explanation of his language. In the code of manners of the age this meant a challenge to a duel. A few years before that, Tandy severely criticized the political action of Fitzgibbon, the Attorney-General, and as proof that he was ready to afford satisfaction he paraded the corridors of the House of Commons, ostentatiously carrying a sword. Fitzgibbon took no notice of Tandy. What Toler did, according to the Journals, was to bring Tandy's action under the notice of the House, as a breach of privilege, on February 22, 1792. Tandy was condemned as 'having attempted to violate the freedom of debate' and the Serjeant-at-Arms was directed to bring him 'forthwith to the Bar of this

House.' A few hours elapsed and one of the messengers of the Serjeant-at-Arms appeared at the Bar alone. He reported that Tandy slipped out of his hands after he had arrested him at his house in Chancery Lane. 'The said James Napper Tandy,' says the official record of the messenger's story, 'went into a parlor as if for his hat, but shut the door and made his escape, as he supposes, through a window.' The House declared that Tandy by escaping from arrest under the Speaker's warrant was guilty of a 'gross' breach of their privileges.

Tandy, accordingly, was a double-dyed violator of the Commons' privileges; and the Lord Lieutenant, at their request, put a proclamation in the 'Dublin Gazette' offering a reward for his arrest. It was not until April 18 that the Speaker reported that Tandy had been 'retaken' that morning. As a matter of fact Tandy had surrendered himself. He did so for an excellent reason. April 18 was the last day of the Session, and all committals by the House of Commons came to an end at the Prorogation. Therefore Tandy, though sent to Newgate, was at liberty almost immediately.

There was one valuable perquisite that Members enjoyed from 1692 until the Union. That was 'franking,' or the conveyance of their letters free through the post, at a time when to send a packet by the mails cost anything from a shilling to half-a-guinea, according to its weight. Members were naturally very jealous of any attempted encroachment by the postal authorities on this privilege. On December 9, 1763, Edmund Sexton Perry complained that his privilege had been violated 'by charging a letter directed to him at Limerick, the city he represents, to be left at his mother's, the only place of his residence in the said city;' and, in consequence, Thomas Jones, 'acting clerk of the Munster Road,' was summoned to Dublin. It came out that the envelope addressed to Perry was but the cover of a letter directed to another person. That being so, the motion declaring that Jones was guilty of a breach of privilege was carried by a majority of only one, the

numbers being for, 77; and against, 76. Nevertheless Jones was committed to prison; and it was not until December 21 that, on 'expressing his sorrow for having incurred the displeasure of the House and asking pardon,' he was discharged on payment of the usual heavy fees to the Serjeant-at-Arms. Members could also obtain academic honours for the asking. By long-established custom they were entitled to claim an honorary degree of Doctor of Laws from Dublin University without, of course, matriculation, or any examination. The decree did not carry the right to vote at elections of the parliamentary representatives of the University, as the franchise was confined to Fellows and scholars.

But if Members had many privileges they had some disabilities also. Disorder in the House was severely punished. In the first volume of the Journals, describing the opening of the new Parliament in July, 1634, I find the following entry:—

It is ordered by the House, for avoiding of disorder in the proceedings of the House, that the orders and usages of the House be entered with the Clerk; and that he shall give copies thereof unto such as desire them to the end those that have not been formerly acquainted with the Orders of Parliament may the better inform themselves how to demean themselves in the House.

A few weeks later, in the month of August, two Members quarrelled in the House. Their names were Capt. Charles Price and Sir John Dungan. They were kept under restraint, even during the prorogation of Parliament, from August to November, and the matter was inquired into, not by the House, but by Wentworth, the Viceroy, and the Privy Council, at Dublin Castle. The culprits, and some other Members who heard what had passed between them, were examined. It appears that the trouble arose out of a motion 'to have the House purged'—that is, counted and examined, to make sure that Members only were present—which was moved after the appointment of a Committee of Privileges.

The evidence of Capt. Charles Price was that he remarked to Sir Hardress Waller, and others sitting near him, 'Surely

that gentleman understands it not,' by which he meant that the motion was not in order. Sir John Dungan, 'who sat one seat behind the said Captain,' having overheard the remark, 'made answer to the Captain in the way of heat and passion' saying, 'Sir, as well as yourself,' and added further, 'Sir, we know you well enough.' To which Price replied to Duncan, 'that it was saucily done, or words to that purpose, and further told him that he knew him not, and did wonder he would use him in that kind, or words to that effect.' Thereupon, Dungan 'after he had a little recollected himself,' made answer, 'Sir, you need not take it so ill from me, for I intended you no harm.' Sir John Dungan gave to the Privy Council a somewhat different version of the dispute. He said he merely expressed agreement with the remark of Captain Price that the Member who had moved the motion for the purging of the House was out of order. Then Price said to him 'You are a saucy fellow,' to which he replied 'Why, you lie.'

The quarrel does not appear to have been violent, even judged by the standards of personal relations in the twentieth century. I have seen Members of the Imperial House of Commons, sitting side by side, glare menacingly into each others eyes at moments of high political excitement, and have heard interchanged across the floor expressions which are usually represented in print by — and —, and yet the incidents passed unnoticed officially. The Speaker sagely turned his blind eye or deaf ear to them. But the Irish Privy Council of the seventeenth century were greatly shocked by such incidents and indisposed to be indulgent to the offenders, for the reason that in them lay the seed or root of serious disorder in Parliament and bitter personal animosity. They decided that as Sir John Dungan had interposed without having been spoken to, he 'gave the first provocation which begot the other subsequent passages unbefitting the time and place.' They further declared 'that it was not a mannerly or civil part in the said Sir John to lend his ear to overhear any other

man, himself not being spoken to, and in that place not only uncivil and unmannerly but deserving punishment, wherein it is conceived that he committed a terrible offence, first against the King, secondly against the House of Commons, and thirdly against the person of Captain Price.' For the latter offence, they ordered that Dungan should at the Council Board, and on his knees, make the following acknowledgment and satisfaction to Price :—

I, Sir John Dungan, do acknowledge my error in speaking in the House of Commons, the House being set, at the last Session of Parliament, certain inadvised words reflecting upon you, Captain Charles Price, wherein I did you wrong, and for which I am heartily sorrowful. I do acknowledge that you are a person of credit and truth, and that you are a speaker of the truth, for anything I know or have heard to the contrary, and that I know no ill of you. I declare also that I hold you to be a valiant gentleman, and every way worthy the command you hold in his Majesty's Army ; and, I entreat you, forgive me those words of unadvisedness which so fell from me, and to accept this from me as a satisfaction for that injury.

Dungan had to make the same declaration on his knees at the Bar of the House of Commons. He there also acknowledged the heinousness of his offence against the House, and humbly craved their mercy. The House 'was mercifully pleased to forgive and pardon' and to send a deputation to the Viceroy as humble suitors that his lordship would be pleased to remit Dungan's punishment in respect of his offence against the King.

Members were paid 'wages' by their constituencies in the early Irish Parliaments. This was the custom also in England. In the Irish Parliament of James the First the following scale was adopted :—

			s.	d.
Knight of the Shire	..	13	4	per day.
Citizen	10	3	„
Burgess	6	8	„

Payment began ten days before the opening of the Session, and continued for ten days after its close. The varying importance or dignity of the representatives was reflected in the scale of wages. A county Member came first ; a city Member second, and a Member for a borough

last. In the reign of Charles the Second the allowances were reduced. Knights of the shire got 10s., citizens 7s. 6d. and burgesses 5s. a day. These payments ceased in 1692, after the Revolution. Their original purpose was to overcome the then general reluctance of local men to spend months in Dublin attending the Parliament, by offering to defray part of their expenses. But in time, as a seat in Parliament came to be highly prized, the position was entirely reversed. Candidates began to offer to forego their claim to wages as an inducement to the electors to return them; and ultimately, Members, instead of being paid by the constituencies for going to Parliament, were most willing and eager to pay the voters for sending them there.

One of the results of the payment of wages was that Members were placed under strict obligation to be constant in their attendance. During the seventeenth century, as the Journals show, the House was frequently 'called'; and those Members who did not answer to their names were heavily fined, as well as deprived of their wages, and sometimes were committed to prison. The punishment for non-attendance was more drastic in periods of national disturbance or unrest. On August 10, 1642, six Members were expelled for having, 'in breach of the trust reposed in them by the Commonwealth' failed to attend. During the Session no Member could leave Dublin without the permission of the House. The liability to arrest for non-attendance at a call of the House survived up to the Union. When a call was decided on, the Speaker sent 'circular letters' to the Members, requiring their attendance on the day appointed. In 1792 there was a call of the House for the selection of a Committee to decide a contested election. The proceedings of these Committees were often very prolonged, and Members evaded an irksome duty at the cost of technical arrest and the payment of the Serjeant-at-Arms' fees. On February 26, 1792, the names of Members who were absent when the Election Committee was constituted, were called by the Clerk, and those for whom no excuses were made were committed to the custody

of the Serjeant-at-Arms. Several pages of the Journals are filled with the names of the long list of defaulters. Among them are some of the most brilliant in the last years of the Parliament—Sir Jonah Barrington, Isaac Corry, Sir John Blaquiere, William Conyngham, George Ponsonby, William Brabazon Ponsonby, John Philpot Curran, Lord Edward FitzGerald, and Henry Grattan.

The arrest was merely technical. It amounted only to detention in the House, or its precincts, until the rising. On one occasion, after a division, Sir Henry Cavendish 'stated a doubt,' in the words of the 'Parliamentary Register,' 'whether gentlemen in the custody of the Serjeant-at-Arms had a right to vote.' The report adds: 'It seemed to be the opinion of the House and of the Speaker that every Member present at a debate had a right to vote.' Two interesting standing orders, relating to divisions, were passed in 1662. The first provided that a Member coming into the House upon a division could not vote unless he had heard the debate. The second prohibited Members from soliciting other Members to vote or abstain from voting in any division. These orders 'however laudable are, it is to be feared, seldom observed,' says Lord Mountmorres, writing of the latter part of the eighteenth century.

The committal of a criminal offence entailed expulsion from the House. Only one instance is to be found in the Journals. Arthur Jones Nevill, one of the Knights of the Shire for County Wexford, was expelled for peculation on November 23, 1753. He was a Government official, and a Committee of the House found, after a prolonged investigation, that his accounts as Surveyor-General, in connexion with the building of barracks, were unsatisfactory. The motion of expulsion was in this form: 'That the name of Arthur Jones Nevill be expunged out of the list of Members of the House.' It was carried by the narrow majority of 7—123 for and 116 against; and was followed up by the Speaker issuing his warrant for a new writ for the election of a Member for the County Wexford.

MICHAEL MACDONAGH.

CORRESPONDENCE

THE PERRY PICTURES

REV. DEAR SIR,—In regard to the Perry Pictures, I have had a communication from the Cook Publishing Co., of Illinois, saying that they no longer have charge of them. As soon as I find out the New York address, I will make it known.

P. A. BEECHER.

ST. PATRICK'S COLLEGE, MAYNOOTH,
June 19, 1922.

DOCUMENTS

STATEMENTS OF THE IRISH HIERARCHY ISSUED AFTER THE GENERAL MEETING HELD AT MAYNOOTH COLLEGE ON TUESDAY, JUNE 20, 1922

I

Statement of the Archbishops and Bishops of Ireland in reference to recent insults to Cardinal Logue, unanimously adopted, His Grace the Archbishop of Dublin presiding in the absence of His Eminence.

‘Things have come to a strange pass when the Cardinal Primate of All Ireland is thrice held up in the course of the visitation of his Archdiocese, and rudely searched by Ulster Specials. On the second occasion His Eminence was covered with revolver and rifle at close range while his correspondence was examined and the box containing the sacred oils opened, in face of repeated protest.

‘On the third occasion His Eminence was ordered out of his car into the road, and personally searched, while the car and bags were ransacked to the accompaniment of language not wanting in insolence.

‘For such maltreatment of an old man in such exalted station there is scarcely a parallel in the annals of the most savage tribe, and as, despite the presence of numerous British troops in the Northern area, there is no Government to give protection or redress to Catholics, we deem it a solemn duty to lay before the Holy Father and the whole civilized world a faint outline of the barbarities heaped upon him, who is the beloved head of the Irish Church.’

✠ EDWARD, Archbishop of Dublin,
Primate of Ireland, *Chairman.*

✠ ROBERT, Bishop of Cloyne, }
✠ DENIS, Bishop of Ross, } *Secretaries.*

II

Statement on the condition of the country adopted unanimously by the Archbishops and Bishops of Ireland, His Eminence Cardinal Logue in the chair.

‘The deadly effect of partition has been to ruin Ireland. In the North-East there is no Government, or, if there be, it is not for Catholics any more than the Turk has Government for the Armenians.

‘What murder and even massacre may have left undone threats have accomplished, and in many parts of the Six Counties Catholics are too

terrorized to cultivate the land or cut their turf or dwell at night in their houses.

‘The burnings, murderous slaughter, and the general terror have driven out many thousands of the Catholic inhabitants of Belfast and rendered them helpless fugitives, whose homes and occupations, business and property, have been utterly destroyed.

‘The British Government had been well warned what the result would be of putting power into the hands of the one section of the people remarkable for intolerance. Now they are backing their Turkey in Ireland with an army and paying a sectarian police, not to uphold justice, but to follow the bent of unbridled bigotry.

‘A most deplorable result is such criminal retaliation as the recent horrible murder of Ulster Protestants in the same neighbourhood.

‘In Southern Ireland also we have seen only too many instances, though they are comparatively few, of barbarous treatment of our Protestant fellow-countrymen. Not only has their property been at times unjustly seized, and they themselves occasionally driven from their homes, but their lives have in some cases been murderously attacked. We condemn unsparingly these manifestations of savagery of which some reckless people have been guilty. They are contrary to the teaching of the Catholic Church and are alien to the traditions of Southern Ireland, in which Protestants and Catholics have lived together in neighbourly harmony.

‘No plea of reprisals for the treatment meted out with impunity to the Catholics of the Six Counties can justify these immoral attacks on life and property. A primary duty of a stable Government will be to crush the lawless elements who have gone far to stain the fair name of our country, and a first duty of the people will be to aid the Government in bringing the criminals to justice.

‘We are happy to know our people generally loathe these outrages as much as we do; we wholeheartedly call on all good citizens to set their faces against such crimes; and we earnestly desire that we should all, Catholics and Protestants, live together in a union of charity worthy of our common Christian civilization.

‘Our own Catholic people we solemnly warn against associations that might bring any of them to imbrue their hands in the blood of a fellow-man or injure his property in any way. Miscreants and murderers they are who take human life, whether they belong to the lawless class, who should be ruled instead of ruling, or to any military body acting independently of civil authority.

‘Our Christian heritage and our name as a nation, if not our nationhood itself, are at stake, and we tell our people to insist on public order and tolerate no degree of anarchy any longer.

‘We call upon this Christian nation in the name of the manhood of Ireland to insist boldly on that organized government which the voice of the people unmistakably demands, and without which Ireland must rush headlong into the abyss.

‘We are altogether in favour of unity in the national ranks,

resting on the solid basis of deference to the national will. Who can measure the responsibility of any man who, in his folly, would take his own blind course and engulf the future of Ireland in chaos, in defiance of the known sense and measured judgment of his people?

'It is time all Ireland had an administration that will put down crime, and ensure the reign of law and justice. May God direct our public men in the heavy task that now confronts them.

'The prayers already ordered for Ireland are to be continued.'

✠ MICHAEL, CARDINAL LOGUE, Archbishop of Armagh,
and Primate of All Ire'and, *Chairman.*

✠ ROBERT, Bishop of Cloyne, } *Secretaries.*
✠ DENIS, Bishop of Ross, }

The members of the Hierarchy present were :—His Eminence Cardinal Logue, Most Rev. Dr. Byrne, Most Rev. Dr. Harty, Most Rev. Dr. Gilmartin, Most Rev. Dr. O'Donnell, Most Rev. Dr. Browne, Most Rev. Dr. Hoare, Most Rev. Dr. Foley, Most Rev. Dr. Kelly, Most Rev. Dr. Fogarty, Most Rev. Dr. Gaughran, Most Rev. Dr. MacHugh, Most Rev. Dr. Finegan, Most Rev. Dr. Morrisroe, Most Rev. Dr. Naughton, Most Rev. Dr. Coyne, Most Rev. Dr. MacRory, Most Rev. Dr. Hackett, Most Rev. Dr. O'Sullivan, Most Rev. Dr. Codd, and Most Rev. Dr. O'Doherty.

A CERTAIN CUSTOM OF SAYING THE 'ORATIO IMPERATA' IS CONDEMNED

(February 18, 1922)

SACRA CONGREGATIO RITUUM

DE COLLECTA IMPERATA SEU ORATIONE PRO PACE

DUBIUM

Expostulatum est a Sacra Rituum Congregatione :

Utrum probari vel tolerari possit consuetudo in una vel altera dioecesi existens, qua collecta imperata seu Oratio pro pace 'Deus^{us} a quo sancta desideria' etc., addatur Postcommunione Missae de die currente, omittis *Secreta* et *Postcommunio* de Pace.

Et sacra Rituum Congregatio, audito specialis Commissioni voto, propositae quaestioni respondendum censuit 'Negative ad utrumque, iuxta Rubricas et Decreta.'

Atque ita rescripsit et declaravit. Die 18 februarii 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

ALEXANDER VERDE, *Secretarius.*

L. ✠ S.

**DECREE OF THE SACRED CONGREGATION OF RELIGIOUS
REGARDING REPORT TO BE MADE TO THE HOLY SEE
EVERY FIVE YEARS BY THE MODERATORS OF RELIGIOUS
ORDERS AND CONGREGATIONS**

(*March 8, 1922*)

SACRA CONGREGATIO DE RELIGIOSIS

DECRETUM

DE QUINQUENNALI RELATIONE A RELIGIONIBUS FACIENDA

Sancitum est in Codice iuris canonici, ut quilibet supremus Moderator sive monasticae Congregationis sive cuiusvis Religionis iuris pontificii quolibet quinquennio, aut saepius si ita ferant Constitutiones, relationem de statu religionis ad Sanctam Sedem mittat.

Ut autem hoc canonum praescriptum ordinate et utiliter effectum detur, haec Sacra Congregatio, re mature perpensa, ea quae sequuntur decernenda statuit :

I. Quinquennia sint fixa et communia omnibus Religionibus, incipiantque a die prima mensis ianuarii 1923.

Relationem itaque exhibebunt :

A) Ex Religionibus virorum :

a) in primo quinquennii anno : Canonici Regulares, Monachi, Ordines militares.

b) in altero : Mendicantes.

c) in tertio : Clerici Regulares.

d) in quarto : Congregationes votorum simplicium tam clericales quam laicales.

e) in quinto : Societates virorum more religiosorum viventium, sine votis aut cum votis privatis.

B) Ex Religionibus mulierum relationem mittent Congregationes, habito respectu ad regionem in qua exstat domus princeps Instituti, seu ubi sedem ex officio habet Moderatrix Generalis, sequenti ratione :

I anno quinquennii : ex Italia, Hispania et Lusitania,

II anno : ex Gallia, Belgio, Hollandia, Anglia et Hibernia,

III anno : ex reliquis Europae regionibus,

IV anno : ex utriusque Americae partibus,

V anno : ex aliis orbis partibus, et insuper Societates mulierum sine votis more religiosarum viventium vel cum votis privatis.

II. Congregationes quae relationem iam forte exhibuerint intra quinque annos praecedentes eum, in quo, ad normam supra descriptam eam mittere deberent intra quinquennium 1923-1927, eximuntur ab ea rursum mittenda pro hac prima vice.

III. In exaranda relatione pro Institutis votorum simplicium prae oculis habeantur quaestiones propositae in Instructione data a S. C. EE. et RR., nunc vero ab H. S. C. reformatae ad Codicis conformitatem, eisque fideliter respondeatur.

IV. Moderatores vero supremi Ordinum Regularium et earum Congregationum etiam votorum simplicium aut Societatum more religiosorum viventium, quae ad relationem mittendam ante Codicis promulgationem

non tenebantur, quoadusque aliter a Sacra Congregatione provideatur, relationem de statu suae Religionis integram et veritati respondentem—super quo eorum conscientia oneratur—diligenter exarare curent ea ratione et forma, quae Instituti naturae aptior videatur; ita tamen, ut ex ea Apostolica Sedes de statu tam materiali quam morali et disciplinari Religionis plenam sibi notitiam comparare queat.

Prima autem relatio, ante alia de actuali statu religionis, contineat notitias historicas de Ordinis aut Congregationis fundatione; et praecipue ea quae spectant ad eiusdem approbationem per Apostolicam Sedem et ad Constitutiones quibus in praesenti regitur, Interna quoque regiminis forma et natura votorum exponatur, et si qua mutatio in hisce facta fuerit decursu temporum aut si qua in Regulae observantia relaxatio, et quadam auctoritate inducta fuerit, declaretur.

Si qua Congregatio peculiare praescriptum habeat de relatione frequentius mittenda in Constitutionibus a Sancta Sede *post Codicis promulgationem revisis aut approbatis*, hoc servandum erit, nullo habito respectu ad ea quae de quinquennio praesens decretum praescribit.

Ssñus D. N. Pius Pp. XI in audientia concessa infrascripto P. Abbati Secretario die 25 februarii 1922, praesentis decreti tenorem adprobavit, ab omnibus servari et publici iuris fieri mandavit, contrariis quibuscumque minime obstantibus.

Datum Romae ex Secretaria S. Congregationis de Religiosis, die 8 martii 1922.

TH. CARD. VALFRÉ DI BONZO, *Praefectus*.

L. ✠ S.

MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

DECREE OF THE SACRED CONGREGATION OF THE COUNCIL REGARDING VOTIVE OFFERINGS AND ALIENATION OF CHURCH PROPERTY

(January 14, 1922)

SACRA CONGREGATIO CONCILII

LAUDEN.

CIRCA DONARIA VOTIVA ET ALIENATIONES

DUBIA

Attentis deductis et resolutis in causa Dioecesis N. *Donariorum votivorum*, die 12 iulii 1919 (*A. A. S.*, XI, p. 416), Ordinarius Laudensis ab hac Sacra Congregatione reverenter postulavit infrascriptorum dubiorum solutionem:

I. Utrum ad alienationem rerum utcumque pretiosarum, semper necessarium sit beneplacitum Apostolicum, an possit Ordinarius intra certos summae limites huiusmodi alienationem permittere.

II. Utrum ad alienationem quorumcumque donariorum votivorum requiratur beneplacitum Apostolicum, an possit Ordinarius de eisdem disponere, intra certam summae quantitatem.

III. An ad alienationem donariorem votivorum requiratur beneplacitum Apostolicum, quando ipse oblato donarii in alienationem ultro consentiat.

IV. Utrum mera oblatio doni ad altare vel ad sacram iconem, praesumptionem voti secum ferat, an positive constare debeat donarium ex voto oblatum esse.

V. An in Ordinarii facultate sit, quando Consilium administrationis et Capitulum cathedrale inter se dissentiant, supplere alterutrius consensum, tum in negotio alienationum tum in quovis aequipollenti contractu.

Die 14 ianuarii 1922, Sacra Congregatio Concilii in plenariis Eññorum ac Revñorum Patrum comitiis in Palatio Apostolico Vaticano habitis, perpensis omnibus, respondendum censuit :

Ad 1. Ad Pontificiam Commissionem Codicis pro canonibus authenticè interpretandis.

Ad 2. *Affirmative* ad primam partem ; *negative* ad alteram.

Ad 3. *Affirmative*.

Ad 4. Donarium praesumi votivum nisi de contraria donatoris vel offerentis voluntate aliunde constet.

Ad 5. *Negative*.

Facta autem de praemissis SSñmo Domino Nostro Benedicto PP. XV relatione per infrascriptum Sacrae Congregationis Secretarium, in Audientia postridie habita, Sanctitas Sua datas resolutiones approbare et confirmare dignata est.

D. CARD. SBARRETTI, *Praefectus*.

I. MORI, *Secretarius*.

L. ✠ S.

THE TENURE OF OFFICE OF MODERATORSHIP OF A RELIGIOUS CONGREGATION IS NOT FOR LIFE, EXCEPT BY APOSTOLIC INDULT

(March 6, 1922)

DE MUNERE SUPREMI MODERATORIS AD VITAM

DUBIUM

S. Congregationi Religiosorum Sodalium negotiis praepositae subiectum fuit sequens dubium :

‘An fundatores aut fundatrices Congregationum Religiosarum vel Piarum Societatum, more Religiosorum viventium, qui quaeve munere Supremi Moderatoris aut Moderatricis in sua Congregatione funguntur, ius habeant illud retinendi *ad vitam*, non obstante praescripto Constitutionum, quae durationem muneris praedicti ad certum tempus coarcent et reelectionem eiusdem personae ultra certum limitem prohibeant ?’

S. Congregatio, re mature perpensa, respondendum censuit : ‘Negative, nisi apostolicum indultum obtinuerint.’

Facta autem de praemissis relatione SSñmo D. H. Pio divina Providentia Pp. XI, in audientia infrascripto P. Abbati Secretario concessa, die 25 februarii 1922, Sanctitas Sua resolutionem S. Congregationis approbavit et confirmavit ac publici iuris fieri mandavit.

Datum Romae ex Secretaria S. Congregationis de Religionis, die 6 martii 1922.

TH. CARD. VALFRÉ DI BONZO, *Praefectus*.

MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

L. ✠ S.

DECREE REGARDING THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, ALFRED PAMPALON, PRIEST OF THE CONGREGATION OF THE HOLY REDEEMER

(February 22, 1922)

SACRA CONGREGATIO RITUUM
QUEBECEN. SEU LEODIEN.

BEATIFICATIONIS ET CANONIZATIONIS SERVI DEI ALFRIDI PAMPALON, SACERDOTIS PROFESSI E CONGREGATIONE SANCTISSIMI REDEMPTORIS

In Canadensi Americae Septentrionalis regione atque in oppido prope civitatem Quebecensem *Notre-Dame de Levis* nuncupato, die 24 novembris anno 1867, ab honestis piisque parentibus Antonio Pampalon et Iosephina Dorion, ortum habuit eademque die in sacro fonte regeneratus est Dei Famulus Alfridus Pampalon. Nondum sexennis matrem amisit, quae sicut Beatissimae Mariae Virginis cultum in eo specialiter insererat, ita moriens ipsum eidem Deiparae Virgini, tamquam filium amantissimae matri, obtulit et commendavit. Quum pater ad secundas transisset nuptias, et ipse et noverca puerum suavitate morum animique candore habuere carissimum. Succrescens aetate Alfridus frequentare coepit scholam parochialem cum fructu et laude in aemulationem aequalium et admirationem magistrorum. Biennio post, novem circiter annos agens, ut litterarum rudimentis imbueretur, patrium Collegium ingressus est; et anno insequenti ad sacram Synaxim primum devotissime accessit. Naturali ingenio studium ac diligentiam adiungens in variis disciplinis multum profecit, speciatim in sacra doctrina. Prudentia et comitate animos concilians, parvas dissensiones iuveniles componere solebat atque sermones et mores, ubi fieret opus, industria sua moderari satagebat. Orationi assiduus, tempus animis recreandis destinatum saepe saepius in sacello ante Beatae Mariae Virginis simulacrum, effusis precibus, impendebat. Ad poenitentiae tribunal et ad Ssmae Eucharistiae sacramentum frequenter accedebat, absque ulla virtutis ostentatione et quavis humana consideratione despecta. Unde exemplar virtutum et iuvenis angelicus appellabatur. Hisce primis aetatis annis Alfridus operam praecipue navavit disciplinis, quae ad commercium pertinent, putans sibi vitam in statu saeculari ducendam esse. Sed in eius animum religiosae vocationis semen incidere coepit, quando ipse, semel iterumque gravi morbo correptus, sensit ad aliud vivendi genus a Deo esse vocatum. Tunc propositum voto sancivit, cum convaluisset se Congregationem domumque religiosam ingressurum. Quod, opitulante Dei gratia et probante spiritus moderatore, de superiorum consensu et licentia, undeviginti annos natus, in Collegio Ligoriano Pulcriprati (*Beaupré*), rite derfecit. Tum, Trudonopolim in Belgio missus, die 8 septembris anno 1886 habitum religiosum induit, ibique, tyrocinio incoepto atque laudabiliter expleto, anno sequenti, die 8 septembris, religiosa vota nuncupavit. Exinde Pulcrumiugum (*Beauplateau*) translatus, quod est in Luxemburgo Belgico, in Collegio Congregationis Ssmi Redemptoris studiiis

philosophicis biennium et theologicis quadriennium transegit, ingenii mediocritatis ipsorumque studiorum difficultatibus superatis per laborem, diligentiam ac praecipue per auxilium divini Spiritus, assidua prece, sanctis operibus ac observantia religiosa imploratum. Interea Ordines minores et maiores per gradus usque ad sacerdotium suscepit, et die quarta octobris anno 1892 devotissime sacris primitus operatus est. Insequente anno 1893, studiis absolutis, ad sacrum ministerium in civitate *Mons* exercendum destinatus, eiusmodi officio multa cum laude fungitur; atque inter cetera munia operariis fratribus spirituales tradit commentationes. Post annum Pulcrumiugum iterum petit, ibique alterum tyrocinium peragit ex Instituto Ligoriana Congregationis, quae suos alumnos ita prioris tyrocinii fervorem renovare atque excitare intendit, simulque illos ad sacerdotalia munera recte agenda instruit ac praeparat per labores, sermones et orationes. Montem reversus, concionibus, confessionibus, aliisque ministeriis et caritatis officiis sedulo incumbens, potissimum in aegrotos et pauperes, opportunum praestitit auxilium sacris expeditionibus suisque sodalibus missionariis. Anno 1894 ad exitum vergente, crudelis morbi signis in lethalem thysim conversis, tentatus, se totum divinae voluntati commisit et acquievit. Medicorum consilio et superiorum iussu salubriorem et nativum aerem respirare curavit in canadensi Pulcriprati collegio, quo a moderatoribus et alumniis desideratus et expectatus pervenit die 15 septembris anno 1895. Quantum potuit, sacris ministeriis suam operam tribuere nisus est; sed, ingravescente morbo, a quovis labore abstinere coactus fuit. Attamen, vires corporis et mentis, licet debilitatas, adhibuit precibus fundendis, libris pietatis legendis atque scribendis, rebusque divinis meditandis, dum morbi cruciatus absque ullo questu patienter ferebat. Sacrum quoque fecit usque prope ad mensem ante obitum, et deinceps, Ssma Eucharistia quotidie refectus, etiam in oratorium se duci rogabat, ibique diu manebat orans et adorans ante Ssmum Sacramentum in tabernaculo asservatum. Tandem, die trigesima mensis septembris anni 1896, cum animam iam ageret, Dei Famulus, Crucifixum in pectore premens et fixis oculis in imaginem Beatae Mariae Virginis *de Perpetuo Succursu*, clara et alta voce, mirantibus adstantibus, Canticum Marianum integre persolvit: et ita, in brevi vitae cursu consummatus, meritis dives e terreno exsilio ad caelestem patriam evolavit.—De eius virtutibus et votorum observantia non est hic loquendi locus. Verum innuere liceat ferventem eius devotionem in Augustissimum Ssmae Trinitatis mysterium et in Dominum nostrum Iesum Christum infantem, patientem, gloriosum et eucharisticum. In Beatissimam Virginem Mariam a pueritia peculiari pietatis affectu ferebatur, eamque studiose colebat atque ab aliis honorari satagebat; illius amore magis incensus ab aureo libello sui Patris legiferi sancti Alfonsi *de Mariae gloriis*. Ecclesiae catholicae et Romano Pontifici addictissimus, obsequium et obedientiam praestitisse fertur, sanam veramque doctrinam ac legem et sacra iura tuendo adversus acatholicos, quos historiae ecclesiasticae studio refutabat. Impotens factus aliis operibus, benignissimum Deum suosque sanctos patronos et mediatores suppliciter exorabat, ut apostolicis consodalium

et missionariorum laboribus uberrimi responderent salutiferi fructus.— Interim, fama sanctitatis Servi Dei, quae in eius vita intra quosdam fines circumscripta lucebat, post obitum magis clara et diffusa, assertis quoque gratiis seu prodigiis aucta, cum christifidelium concursu ad sepulcrum, opem implorantium et patrocinium, Processibus informativis Ordinaria auctoritate constructis in dioecesibus Quebecensi et Leodiensi aditum aperuit. Quibus absolutis et Romam ad sacram Rituum Congregationem transmissis, praehabita scriptorum eiusdem Servi Dei revisione et subsequenti declaratione diei 28 aprilis 1920, ‘nihil obstande quominus ad ulteriora procedi possit,’ quum, servato iuris ordine, omnia in promptu essent, ad quaestionem discutiendam de Causae introductione devotum est. Quapropter, instante Rmo P. Claudio Benedetti, Congregationis Ssmi Redemptoris et Causae postulatore, attentis litteris postulatoriis Esmi ac Rmi Dni Cardinalis Ludovici Nazarii Bégin, archiepiscopi Quebecensis, et Sacrorum Antistitum suffraganeorum atque Revmorum Archiepiscoporum et Episcoporum ceterarum Provinciarum Canadensium, rogantibus quoque Rmis Praesulibus Congregationis Ssmi Redemptoris, una cum Rectore maiore et Superiore generali P. Patritio Murray, et clero ac populo urbis *Levis* aliisque illustribus viris ac mulieribus e coetu saeculari et religioso, Esmus et Rmus Dnus Cardinalis Aidanus Gasquet, eiusdem Causae Ponens seu Relator, in ordinariis sacrorum Rituum Congregationis comitiis subsignata die ad Vaticanas aedes coadunatis, sequens dubium discutiendum proposuit: *An sit signanda Commissio introductionis Causae in casu et ad effectum de quo agitur?* Et Esmi ac Rmi Patres sacris tuendis ritibus praepositi, post relationem ipsius Esmi Ponentis, audito R. P. D. Angelo Mariani, Fidei promotore generali, omnibus sedulo perpensis, rescribendum censuerunt: *Affirmative, seu signandam esse Commissionem Introductionis Causae, si Sanctissimo placuerit.* Die-17 ianuarii 1922.

Quibus omnibus Sanctissimo Domino nostro Pio Papae XI per infrascriptum Cardinalem Sacrae Rituum Congregationi Praefectum relatis, Sanctitas Sua rescriptum eiusdem Sacrae Congregationis ratum habuit propriaque manu Signare dignata est Commissionem Introductionis Causae Servi Dei Alfridi Pampalon, sacerdotis professi e Congregatione Ssmi Redemptoris, die 22 februarii 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

ALEXANDER VERDE, *Secretarius.*

L. ✠ S.

REPROBATION BY THE HOLY OFFICE OF A BOOK BY CANON S. LEGUEU, ENTITLED 'UNE MYSTIQUE DE NOS JOURS'

(March 17, 1922)

SUPREMA SACRA CONGREGATIO S. OFFICII

DECRETUM

REPROBATIO LIBRI : 'UNE MYSTIQUE DE NOS JOURS'

Eñi ac Rñi Domini Cardinales in rebus fidei et morum Inquisitores generales, in ordinario consessu habito feria iv, die 15 martii 1922, decreverunt : Opus cui titulus : 'Chanoine S. Legueu—*Une mystique de nos jours. Sœur Gertrude-Marie, religieuse de la Congrégation de Saint-Charles d'Angers*' esse reprobandum.

Et insequenti feria v, die 16 eiusdem mensis et anni, Sanctissimus D. N. Pius divina Providentia Papa XI, in solita audientia R. P. D. Assessori Sancti Officii impertita, relatum sibi Eñorum Patrum resolutionem ratam habuit et publici iuris fieri mandavit.

Datum Romae, ex aedibus S. Officii, die 17 martii 1922.

ALOISIUS CASTELLANO, *Supremae S.C.S. Officii Notarius.*

DECREE REGARDING PECUNIARY REMUNERATIONS ACCRU- ING TO RELIGIOUS FROM MILITARY SERVICE IN THE LATE WAR.

(March 16, 1922)

SACRA CONGREGATIO DE RELIGIOSIS

CIRCA PECUNIAS RELIGIOSIS OBVENIENTES OCCASIONE SERVITII MILITARIS
PRAESTITI TEMPORE BELLII

DUBIA

Sacrae Congregationi Religiosorum Sodalium negotiis praepositae, sequentia dubia pro opportuna solutione subiecta fuere :

I. Utrum religiosi sollemniter professi ad tenorem iuris communis quidquam pecuniarum, quae illis occasione servitii militaris durante bello praestiti obvenierunt, vel obvenient, iure sibi retinere valeant, vel potius eas omnes suo Ordini refundere teneantur.

II. Utrum religiosi sollemniter quidem professi, sed ex indulto Apostolico post professionem nihilominus capaces acquirendi, quidquam pecuniarum, de quibus in primo dubio, suas facere valeant absque assensu et licentia expressa sui Superioris maioris.

III. Utrum religiosi simpliciter professi, sive in perpetuum sive ad tempus, quorum constitutiones excludunt post professionem omnem ulteriorem acquisitionem bonorum temporalium, teneantur dictas pecunias omnes suae Religioni tradere.

IV. Utrum religiosi quomodocumque simpliciter professi in perpetuum vel ad tempus, sive in Ordine sive in Congregatione, quorum

constitutiones non obstant, de pecuniis *titulo stipendii (le solde)* acceptis quidquam suum facere valeant, vel potius quidquid post eorum dimissionem ex exercitu superfuerit, respectivae Religioni tradere teneantur.

V. Utrum pensio vitalitia data ob mutilationem vel debilitationem in bello perperam religiosis simpliciter professis, vel iis de quibus in can. 673 § 1, aut demum iis quorum vota vel promissa suspensa manebant, pertineat ad respectivam Religionem aut Societatem.

VI. Utrum emolumenta pecuniaria, ob decus militare (*la médaille militaire, la croix de la légion d'honneur*) in bello reportatum obrenientia, pertineant ad ex-militis aut potius ad Religionem.

VII. Utrum retributio singulis militibus in actu eorum dimissionis tributa tamquam sollemne publicae gratitudinis signum (*la prime de la démobilisation*) pertineat ad Religionem.

VIII. Utrum qui de pecuniis occasione belli perceptis contra superiores resolutiones iam disposerint etiam in favorem tertii, teneantur ad restitutionem.

Porro Eminentissimi Patres in plenario coetu ad Vaticanum habito die 24 februarii 1922, re mature perpensa, ad proposita dubia respondendum censuerunt :

Ad I. *Negative* ad 1^{am} partem ; *affirmative*, ad 2^{am}.

Ad II. *Negative*.

Ad III. *Affirmative*, quoad religiosos qui tempore servitii militaris votis ligati erant ; *negative*, quoad ceteros.

Ad IV. Si agatur de iis qui tempore servitii militaris votis adstricti erant : *negative* ad 1^{am} partem, *affirmative* ad 2^{am} ; si vero de iis quorum vota cessarunt, *affirmative* ad 1^{am} partem ; quoad alteram vero : aequam compensationem suae Religioni tradant.

Ad V. Quoad religiosos tempore servitii militaris votis obstrictos : pertinet ad Religionem ; quoad ceteros : pertinet ad personam, quae tamen tenetur eam suo Instituto tradere quamdiu in eo permaneat.

Ad VI. *Negative* ad 1^{am} partem ; *affirmative* ad 2^{am}, nisi de iis agatur qui votis non erant obstricti tempore belli.

Ad VII. *Affirmative* ; nisi tempore belli votis ligati minime fuerint.

Ad VIII. *Affirmative* ; nisi religiosus ex permissione Superioris, rationabiliter praesumpta, egerit.

Facta autem de praemissis relatione Ss^{mo} D. N. Pio Div. Prov. Pp. XI ab infrascripto P. Secretario S. Congregationis, in audientia habita die 25 februarii 1922, Sanctitas Sua resolutionem EE. Patrum approbare et confirmare dignata est.

Datum Romae, ex Secretaria S. Congregationis de Religiosis, die 16 martii 1922.

L. ✠ S.

TH. CARD. VALFRÉ DI BONZO, *Praefectus*.
MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

**PRIVILEGES ATTACHING TO THE CELEBRATION OF THE
VOTIVE MASS 'DE PROPAGATIONE FIDEI' IN EACH
DIOCESE ONCE A YEAR**

(March 22, 1922)

SACRA CONGREGATIO RITUUM

DE CELEBRATIONE MISSAE VOTIVAE PRO FIDEI PROPAGATIONE SEMEL IN
ANNO IN QUALIBET DIOECESI

Beatissimo Padre,

La Commissione per i festeggiamenti del terzo centenario della S. Congregazione di Propaganda, presieduta dall'Eŕmo Cardinale Prefetto della medesima, supplica umilmente la Santità Vostra perchè voglia benignamente disporre che in ogni diocesi sia celebrata una volta l'anno, in giorno da stabilirsi dai rispettivi Ordinari, la Messa votiva *de Fidei Propagatione*, nell'intento di eccitare così maggiormente il clero a favore delle sacre missioni ed ottenere dal Signore gli aiuti necessari per il maggior sviluppo delle medesime.

ROMANA

Sanctissimus Dominus Noster Pius Papa XI, his precibus ab infra-scripto Cardinali Sacrae Rituum Congregationi Praefecto relatis, benigne annuit pro gratia iuxta petita, ita tamen, ut praedicta Missa votiva *de Propagatione Fidei* cum *Gloria* et *Credo* celebrari possit semel in anno diebus ab Ordinario cuiusque loci designandis, exceptis tamen Festis duplicibus I et II classis, Dominicis maioribus, necnon Octavis I et II ordinis, Feriis et Vigiliis quae sint ex privilegiatis: servatis Rubricis. Contrariis non obstantibus quibuscumque. Die 22 martii 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, *Secretarius*.

**DECISION OF THE SACRED CONGREGATION OF THE COUNCIL
REGARDING THE POWER OF THE ORDINARY TO DIVIDE
CERTAIN PARISHES**

(January 14, 1922)

SACRA CONGREGATIO CONCILII

UTINEN

DISMEMBRATIONIS PAROECIARUM

Die 14 ianuarii, 1922

SPECIES FACTI.—Archiepiscopus Utinensis ex iusta et canonica causa partes territorii quarundam paroeciarum nuper dismembravit, easque una cum adnexis fidelibus ac decimarum dominicalium iuribus perpetuo aliis finitimis paroeciis univit, remanente tamen paroeciis dismembratis sufficienti redituum portione. Modo idem Archiepiscopus et alias id

genus dismembrationes, bono animarum postulante, peragere intendit; sed eius Capitulum cathedrale hac de re exquisitum autumat, id per Ordinarium iure proprio fieri haud posse, quum ex canone 1422 C. I. C. 'uni Apostolicae Sedi reservetur dismembratio, quae, detractis bonis beneficialibus fiat, quin novum erigatur beneficium.'

Quamvis Utinensis Archiepiscopus innixus alteri canoni 1427 in contrariam abeat sententiam, ad omne dubium tollendum atque ad tutius procedendum, ab hac S. Congregatione suppliciter postulavit authentice declarari, utrum Ordinarius enunciatis dismembrationes propria auctoritate agere possit, an e contrario Apostolica facultate indigeat; quo postremo in casu petiit praeterea sanationem quoad praeteritum atque Apostolicum indultum ad similes dismembrationes posthac peragendas.

SYNOPSIS DISCEPTATIONIS.—Ad recte assequendam vim can. 1422 in concordia cum can. 1427 itemque cum can. 1500, qui vel prima facie ad casum quo de agitur facere videtur, oportet canonicam *dismembrationis* notionem praemittere. Iam ante editum Codicem ad rem animadvertebat cl. Wernz, *Ius decretalium*, vol. II, tit. XIII, n. 269: '*Dismembratio* beneficii ecclesiastici *sensu stricto* habetur, si, manente unitate beneficii, pars, *substantiae* bonorum uat saltem reddituum beneficialium ab eo in perpetuum separatur et sine ulla novi beneficii erectione iam existenti alteri beneficio vel causae piae vel fabricae ecclesiae indigenti applicatur. Quae dismembratio reducitur ad *alienationem bonorum ecclesiasticorum* ex causa necessitatis vel evidentis utilitatis ecclesiae factam. Quare eadem requiritur competentia Superiorum ecclesiasticorum, aequitas causarum, conditionum et solemnitatum necessitas v. g. *beneplaciti Apostolici* quoad res *pretiosas* alienandas atque in aliis alienationibus bonorum ecclesiasticorum. At vix admitti potest antiquorum et recentiorum canonistarum sententia, in beneficiis inferioribus v. g. parochialibus, sed non in favorem beneficiorum *simplicium*, huiusmodi dismembrationem generatim *ab Episcopo* absque beneplacito Sedis Apostolicae fieri posse. Nihil enim efficitur, si quis provocet ad argumenta ex antiquatis capitibus iuris Decretalium v. g. cap. 10, X, de praeb. III, 5, petita. Nam saeculo decimo quinto a Paulo II Constit. *Ambitiosae*, de alienatione bonorum ecclesiasticorum novae sanctiones publicatae sunt. Neque urgeri potest altera ratio in alienationibus rerum *pretiosarum* inter ipsa instituta ecclesiastica non requiri beneplacitum Sedis Apostolicae. Nam haec opinio cum iteratis decisionibus S. C. C. conciliari nequit; argumentum vero ex *principali*, sed tantum *partiali* fine Constit. *Ambitiosae* petittum, scilicet impediendi transitum bonorum ecclesiasticorum ad usus profanos, ex sese inefficax est.' Verum ab ea specie, pro qua scriptor iste necessitatem vindicat beneplaciti Apostolici prouti postea statuta est can. 1422, idem subinde distinguit *dismembrationem latiore sensu*, his verbis: 'Cui dismembrationi *affinis* est *separatio partis territorii et populi* ab uno officio ecclesiastico, quae, sine novi officii ecclesiastici erectione, cum alio officio ecclesiastico iam existente coniungitur.' Et hanc ex contrarietate rationis, quia nimirum aequiparari nequit alienationi directae bonorum ecclesiasticorum, Episcopis explicite

docet esse permissam. Eandem doctrinam concinne perstringebat Oietti *Synopsis, s. v. Dismembratio*.—‘Dismembratio beneficii ecclesiastici *stricto sensu* est subtractio partis bonorum beneficialium vel reddituum ab aliquo beneficio existente et in sua substantia permanente, quae in perpetuum addicantur alteri beneficio vel causae piae sine novi beneficii, erectione . . . Reducitur ad *alienationem bonorum ecclesiasticorum*; quare ad eam faciendam requiruntur eadem causae et solemnitates, quae ad alienationem bonorum ecclesiasticorum iuris praescripto necessariae sunt et inter alia *beneplacitum Sedis Apostolicae*. Schmalzgr., etc.’

‘Dismembrationi strictae dictae *affinis* est ea, quae, aliquando etiam dicitur *dismembratio partialis*, et consistit in separatione partis territorii et populi ab uno officio ecclesiastico ut annectatur alteri officio ecclesiastico praeexistenti, ut quum pars populi alicuius paroeciae addicitur alteri paroeciae *Eam facere possunt illi, qui facultatem habent erigendi* ea officia, de quibus agitur; hinc, si quaestio est de episcopatibus, solus Romanus Pontifex; si autem *de parochiis* agitur, non solus Romanus Pontifex (cfr. S. C. Consist. in Placent. 15 mart. 1909, sed *etiam Episcopus est competens* (S. C. Concil. 23 april. 1864; in Syrac. 28 Mart. 1903), verum ex gravi causa et servatis legitimis solemnitatibus.’ Itaque, ex hac doctrina, probe distinguenda erit dismembratio proprie dicta—cuius obiectum directum et exclusivum sunt bona beneficii, quaeque proinde indolem seu rationem habet mere *oeconomicam* et ideo communiibus legibus de alienatione bonorum subiacet—a dismembratione minus propria, cuius obiectum est pars territorii, quaeque proinde rationem seu indolem mere *moralem, iurisdictionalem seu disciplinarem* habet, eiusdem generis ac erectio et suppressio, ac propterea iisdem facultatibus erigendi et supprimendi plane contineri videtur, iuxta notissimam regulam: ‘Cui maius conceditur, et minus concedi videtur.’ ‘Non debet cui plus licet, quod minus est, non licere.’ Ulp., l. 21, ff. de *reg. iur.*, 4, 17. Nec obstat quod per accidens, cum hac territorii separatione etiam bonorum seu proventuum aliquam imminutionem, is, de cuius iurisdictione territorium erat, persentire debeat; quum id non directe et exclusive intendatur, sed necessario permitti debeat, iuxta effatum: ‘Accessorium naturam sequi congruit principalis;’ cap. 42, de *Reg. Iur.*, in VI (V, 12).

Hanc vero doctrinam ultro recepit ac pro more expolivit nuper datus Codex iuris canonici.

Ex canone enim 1421 habetur *divisio beneficii* ‘cum ex uno, duo vel plura beneficia fiant; *dismembratio*, cum pars territorii aut bonorum alicuius beneficii ex eodem detrahitur et alii beneficio vel causae piae aut ecclesiastico instituto assignatur.’

Canon autem 1427 non solum attribuit Episcopis ius peragendi *divisionem beneficii seu paroeciae* hisce verbis: ‘possunt etiam Ordinarii ex iusta et canonica causa paroecias quaslibet . . . dividere, vicariam perpetuam vel novam paroeciam erigentes,’ verum etiam *dismembrationem territorii beneficii seu paroeciae*, aliis verbis subsequenter: ‘aut earum territorium dismembrare,’ quin novum erigatur beneficium seu paroecia.

Contra, canone 1422 reservatur Apostolicae Sedi tantum *dismembratio*

bonorum beneficii seu paroeciae, nempe 'quae detractis bonis beneficialibus fiat quin novum erigatur beneficium.' Ratio huius reservationis Apostolicae non videtur, hodie, proprie in eo consistere quod in casu agatur de vera alienatione bonorum ecclesiasticorum; quia secus eam Ordinarii, saltem ad tramitem iuris Codicis, vi canonis 1532, usque ad summam lib. 30,000 peragere valerent. Ex adverso id repetendum videtur—praeterquam ad praecavendos abusus inde forsitan orituros, ne scilicet ut unum adornetur altare expolietur alterum—ex eo quod in themate agitur de alienatione *absque compensatione seu pretio*, idest de vera bonorum ecclesiasticorum *donatione*, cui saepius obstat contraria fundatorum vel oblatores voluntas, ad quam supplendam minime pretenditur Ordinariorum potestas.

Quum itaque dismembrationes ab Archiepiscopo Utinensi peractae non sint beneficiales sed territoriales, idest reducantur ad veras delimitationes finium paroecialium, non videtur ambigendum ipsas iuxta tenorem canonis 1427 esse in eiusdem Ordinarii potestate. Hoc enim canone iam definitive explosa censi debet contraria opinio Fagnani, Bouix, aliorumque severiorum, quam tenuisse videtur etiamnum Rota, in Annecien., 5 febr. 1918; Derthonen., 31 ian. 1919, etc., iuxta quos haec dismembratio fieri non posset ab Episcopo, hac obstante causa, quod fines *certi* paroeciarum, utpote ad ius publicum pertinentes, iam nonnisi a Suprema Auctoritate immutari valeant (cfr. c. 1509, 3).

Nec in contrarium opponi posse videtur simultanea decimarum dismembratio; nam haec nonnisi secundario et per accidens subsequuta est dismembrationem ipsius territorii, dum canone 1422 reservatur S. Sedi dismembratio tantum bonorum beneficii seu paroeciae, quin simul territorium dismembretur. Praeterea, ut adnotat Archiepiscopus Utinensis in primis litteris diei 7 iunii 1921 'tratterebbesi nel caso di stralcio di decime domenicali, pagate precisamente dagli abitanti del territorio dismembrato e unito all'altra parrocchia, i quali difficilmente si adatteranno a pagare alla parrocchia dalla quale per ragioni canoniche sono stati divisi.' Denique decimae de quibus agitur sunt parvi momenti, quum idem Archiepiscopus in postremis litteris diei 8 decembris 1921 haec subdat: 'Le frazioni già smembrate e unite alle altre parrocchie coll'attribuzione dei rispettivi quartesi, per la quale chiedeva sanatoria nell'ipotesi che avessi ecceduto la mia competenza ordinaria, sono quelle di Soleschiano, tolta a Pavia di Udine e unita a Marzano, e quella di Casanova tolta a S. Margherita e unita a Passons. Soleschiano dava a Pavia d'Udine un quartese in media di un quintale di frumento e di due quintali di granturco. Una miseria, come diceva lo stesso parroco di Pavia, che non bastava neppure a compensarlo della spesa del cavallo. Le cinque case di Casanova aggregate a Passons davano a S. Margherita in media un quintale di frumento e dodici quintali circa di granoturco, computando anche i campi rimasti al di là del nuovo confine e sotto la giurisdizione di S. Margherita. La terza frazione non ancora smembrata e che sarebbe da dismembrarsi dalla parrocchia di Madrisio dietro ripetute insistenti richieste die frazionisti a motivo della grande lontananza, sarebbe Cornazzais da unirsi a Varmo: e questa non dà che il quartese del

piccolo suo territorio (ab. 250), che si riduce ad alcune centinaia di lire, mentre al parroco rimane il quartese di altre quattro grosse frazioni.'

Ideo, nec videtur necessarium in hac facti specie provocare ad can. 1500 statuentem: 'Diviso territorio personae moralis ecclesiasticae ita ut *illius pars alii personae morali uniatur* vel distincta personam oralem pro parte *dismembrata* erigatur, etiam bona communia quae in commodum totius territorii erant destinata, et aes alienum quod pro toto territorio contractum fuerat, *ab auctoritate ecclesiastica, cui divisio competat*, cum debita portione ex bono et aequo dividi debent etc.' Etenim hic canon agit de bonis *communibus* totius territorii ex quo fit dismembratio, quemadmodum patet etiam ex tenore canonis 1427 § 3; dum decimae in themate habendae sunt uti bona propria ad partem tantum territorii dismembrati spectantia; et ideo necessario sequuntur territorium cui accedunt.

Quare, etc.

RESOLUTIO.—Propositis itaque dubiis:

I. *An loci Ordinario absque beneplacito Apostolico competat dismembratio paroeciarum in casu.*

Et quatenus *negative*:

II. *An et quomodo, praeter sanationem quoad praeteritum, concedi possit facultas peragendi dismembrationem aliarum paroeciarum in casu.*

Sacra Congregatio Concilii, in plenariis Eñorum ac Revñorum Patrum comitiis, die 14 ianuari 1922 in Palatio Apostolico Vaticano habitis, respondendum censuit:

Ad I. *Affirmative.*

Ad II. *Provisum in primo.*

Facta autem postridie de praemissis SSñmo Dño Nostro Benedicto Div. Prov. PP. XV relatione per infrascriptum Sacrae Congregationis Secretarium, Sanctitas Sua datam resolutionem approbare et confirmare dignata est.

I. MORI, *Secretarius.*

LETTER OF PIUS XI TO THE MODERATOR-GENERAL OF THE CARMELITES ON THE OCCASION OF THE SIXTH CENTENARY OF THE PROMULGATION OF THE 'SABBATINE PRIVILEGE'

(March 18, 1922)

EPISTOLAE

AD R. P. ELIAM MAGENNIS, MODERATOREM GENERALEM ORDINIS CARMELITARUM, LABENTE SAECULO SEXTO EX QUO 'PRIVILEGIUM SABBATINUM' VULGATUM EST, RELIGIONEM IN B.M.V. DE MONTE CARMELO IMPENSE INCULCAT.

Dilecte filii, salutem et apostolicam benedictionem.—Petis tu quidem a Nobis ut, labente saeculo sexto ex quo *Sabbatinum Privilegium* vulgari coepit in Ecclesia, religionem in Virginem Mariam a Monte

Carmelo et laicorum sodalitates quae a Virgine eadem nuncupantur, omnibus quotquot sunt per orbem catholicis commendemus. Hisce iisdem litteris ac libenter admodum id facimus. Almam enim Dei Matrem, quam a pueris amamus impense, placet hoc etiam demereri pietatis testimonio atque ea auspice initia ordiri Pontificatus Nostri. Nec diu commorandum Nobis est in commendandis sodalitatibus, quas et Virgo ipsa commendat liberalitate sua, et Praedecessores Nostri plurimis cumularunt gratiis, et actiosa caritas Religiosorum Carmelitarum tam late per orbem tamque ubere cum fructu propagavit. Satius ducimus eos hortari qui sodalitatibus iisdem nomen dederunt, ut perseveranti studio haerent iis omnibus quae praescripta sunt ad lucrandas concessas Indulgentias in primisque maximas illas quae Sabbatinae dicuntur. Diligentes enim se diligit Virgo, nec quisquam sperare iure potest se eam habiturum adiutricem in morte, nisi in vita eius inierit gratiam tum abstinendo a culpa, tum quidpiam praestando quod cedat in eiusdem honorem.

De delatis officiis memorem tibi profitemur animum, ac caelestium conciliatricem munerum Nostraeque testem benevolentiae, apostolicam benedictionem tibi, dilecte fili, religiosi viris quibus praees iisque omnibus qui sunt ex sodalitatibus quas supra memoravimus, peramanter in Domino impertimus.

Datum Romae apud Sanctum Petrum, die XVIII martii anno MCMXXII, Pontificatus Nostri primo.

PIUS PP. XI.

DECREE FOR THE BEATIFICATION AND CANONIZATION OF THE VENERABLE SERVANT OF GOD, TERESA EUSTOCHIO VERZERI, FOUNDRRESS OF THE DAUGHTERS OF THE SACRED HEART

(March 31, 1922)

SACRA CONGREGATIO RITUUM ROMANA SEU BERGOMEN.

BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVAE DEI TERESIAE
EUSTOCHIO VERZERI, FUNDATRICIS FILIARUM SACRI
CORDIS IESU.

SUPER DUBIO

An constet de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum, nec non de cardinalibus, Prudentia, Iustitia, Fortudine et Temperantia earumque adnexis, in gradu heroico, in casu et ad effectum, de quo agitur?

Multae quidem in hac Causa excitatae inde ab initio fuerunt difficultates. Quae si cui fortasse graves adeo videri potuerint, ut Causae ipisus arduum sane incertumque portenderent exitum, id, ceu valde

proclive est coniectare et arguere, factum exinde fuit, quod scilicet eadem perpensae sunt difficultates seorsim ab universa praefatae venerabilis Ancillae Dei Teresiae Eustochio Verzeri vita, et a peculiari praesertim, quod sortita illa fuerat, ingenio nec non cunctis nondum bene compertis et exploratis adiunctis, quibuscum, uti vere certoque contigerant, nexa et colligata manent facta, unde obiiendi sumpta fuerat materies. Quapropter huc quum primae spectaverint responsiones, quas ad primum editas animadversiones, alterius quoque Patroni valido efficacique sibi adscito auxilio, concinnandas sategit Defensio, incommodorum mole, quibus impedita nimis nimisque fatigata exterius apparebat, non modice levari coepta est Causa. Quae idcirco eodem pergens itinere, eo usque fauste feliciterque est subinde progressa, ut vel ipsae, quae ex adverso oppositae fuerant difficultates, dum, prout earum fert natura earumque sibi proposuerat auctor, pervestigandae et acquirendae veritati magnopere inservierunt, apta insimul ministraverint arma, quibus ex inito certamine superior evaderet Defensio illudque cum victoria concluderet.

Equidem, de venerabilis Teresiae virtutibus quum e proposito edisserunt testes, a prima exorsi eiusdem Servae Dei aetate, quaedam in medium illi proferunt quae, externo licet ex cortice impune praetermitti posse viderentur, penitius tamen inspecta pondus suum pandunt atque momentum. Ita, puerascebat adhuc Teresia; siquidem vix quinque nata erat annos, quum, quodam festo die prolapsa est in terram totaque, qua induebatur, luto nova aspersa est vestis, eamque exuens, gravissima haec christianaeque sapientiae plena fertur protulisse verba: *Ecco che sono le vanità del mondo!* (Summar., pag. 35). Sub idem pariter tempus-quinquennis namque aut saltem sexennis erat, quum, pia matris suasu, ad sacramentum Poenitentiae primum accessit; si quae autem, ea in aetate, esse tunc poterant illius admissa, multis cum lacrymis confessa est sacerdoti, qui sancti Aloisii Gonzagae nomine eam dilaudavit. Ast, laudem hanc aegre admodum tulit planeque a se reiecit Teresia; neque ad confessarium eundem, qui tantum sibi non dubitavit tribuere praeconium, amplius est reversa; sibi posthac selegit quoque familiae suae confessarium, sacerdotem Iosephum Benaglio, Bergomensis cathedralis ecclesiae canonicum illiusque Seminarii rectorem (Ibid., pagg. 304-405). Parva quidem ista sunt, sed sagaci expertoque viro sat firmum perhibent argumentum excellentis sublimisque illius operis, quod in Teresia maturante perficere aggressa fuerat divina Gratia, cui, sua ex parte, advigilanti erectoque animo cooperari inde a pueris assuescebat. Teresia adeo, ut iam nunc, sicut inclusam semine, futuram prospicere liceat ac demirari eiusdem sentiendi agendique rationem atque peculiare sanctitatis genus, ad quod eam delegerat Deus.

Revera, vixdum Teresia, quae interim adoleverat, a nuper memorato suimet confessario, sacerdote Iosepho Benaglio, accepit, huius neptem, nomine Virginiam Simoni, Benedictinarum a sancta Grata coenobium esse ingressam, sortis eiusdem compotem fieri valde concupivit. Quocirca, generose abiectis commodis mundanisque spretis illecebris, quae e conspicuo diviteque gentis suae statu copiose manabant, quod tantopere exoptaverat, est assecuta, quamvis magnae atque cito eam

invenerint aerumnae, quae, ut provisum a Deo erat, venerabilem Teresiam, quoad inter homines est diversata, ferme oppleverunt, vitaeque ipsius praecipuam veluti impresserunt notam. Vix enim attinet dicere quae quotque eidem, ob trinum asceterii sanctae Gratae ingressum et egressum, perferenda fuerint convicia, obtrectationes, repugnantiae, contradictiones, molestiae aliaque generis eiusdem, quae tantum abfuit, ut vim suam remitterent multoque minus desinerent, quin potius magis magisque exereverunt in dies, praecipue quum de nova condenda et gubernanda actum est sodalitate; cunctisque tandem, tamquam cumulus, comitalis accessit morbus, quo per quatuor postremos vitae annos divexata fuit acerbe. Iamvero quum in hoc, quod, cuiusdam instar incruenti martyrii, subeundum Ancillae Dei fuit per integrum paene aetatis suae spatium, eximium illa, oculatis enarrantibus et admirantibus testibus, exhibuerit exemplum humilitatis, patientiae, fortitudinis et obedientiae conscientiae suae moderatoribus; quaeque interea muneris sui conditionisque propria erant, mira constantia et fidelitate observare et custodire perrexerit: apta atque idonea suppetunt, hoc ipso, elementa, quibus, ipsam Ancillam Dei adeptam fuisse sibi heroicae virtutis meritum atque laudem probatur et patescit.

Neque, hac semel iuridice confecta praestitutaque probatione, perturbare eam valent suoque e loco dimovere quae contra facere, ex eisque difficilem sibi proponi concertationem ipsimet, disceptationis exordio arbitrati fuerant actores. Haec sane, sive in scriptis Servae Dei suum nanciscuntur fundamentum, sive in studio partium, in quas scissus reperiabatur tunc temporis Bergomensis clerus. E scriptis autem nonnullae prostant allataeque sunt Servae Dei epistolae, quas ad subiectas sibi sorores identidem dare curabat; in eisque si quando quaedam occurrunt, quae facile probari haud posse prima fronte apparent, ex eo hoc accidit, quod absoluta prorsus ratione eadem accipiantur. Verum, si, uti oportet, personarum, ad quas mittebantur epistolae, aequa ratio habeatur, planum tunc fit atque perspicuum non de principiis rem esse in abstracto propositis, sed de quibusdam peculiaribus opportunisque monitis, quae venerabilis Teresia eisdem sororibus dare muneris sui esse ducebat pro diversa earum indole spiritusque necessitate, in qua singulas versari ipsa probe noverat Ancilla Dei. Hisce aliae succedunt epistolae, in quibus, quos acerbos patiebatur angores suis venerabilis Teresia confessariis aperiebat, quibusque Servae suae Deus periculum facere optaverat; in eoque victrix illa merebatur discedere, quotidie et ubertim proficiendo in humilitatis virtute, illuc usque progrediens, ut, coram Deo constituta, nihil in semetipsa, praeter defectus, imperfectiones et peccata cogeretur agnoscere. Quo ex capite eiusdem pensandae sunt iustoque pretio existimandae notae illae haesitationes et anxietates, quae eam inquietam adeo tenebant atque sollicitam, quemadmodum cuncti suasum sibi habuerant eius confessarii, ipsique certiores fieri potuerant testes, qui intima illius usi erant consuetudine, suisque externa facta, de quibus tantum iudicat Ecclesia, inspexerant oculis. Quod si non aequae omnes e Borgomensi clero eandem de Teresia foverint opinionem, id potiusquam ipsam Teresiam, eiusdem respiciebat spiritus magistros

conscientiaeque moderatores, utpote qui sibi debito non habebantur in honore ab iis potissimum ex eodem Bergomensi clero, qui novas minusque tutas sectabantur doctrinas; eosque proinde iniuste temereque egisse haud ita multo post probavit eventus; quandoquidem Caietanus Benaglio, Petrus Aloisius Speranza, Alexander Valsecchi et Hieronymus Verzeri ad episcopalem evecti sunt dignitatem, ipsamque Bergomensem aliasque finitimas non mediocri cum laude neque parvo cum fructu administrarunt Ecclesias.

Utraque itaque, positiva nempe et negativa, seu indirecta, heroicarum virtutum probatione, e praescripto iuris, allata, absolvi potuit quaestio, quae, abhinc sexennium, heroicis super virtutibus fuerat instituta, tribus de more Congregationibus; anteparaeclatoriam quippe et paraeclatoriam, quae praecesserant, generalis subsecuta est Congregatio quae, die decima quarta superioris mensis martii, coram Sanctissimo Domino nostro Pio Papa XI coacta fuit. In qua a Reverendissimo Cardinali Raphaële Merry del Val, Causae Relatore, sequens ad discutiendum propositum est dubium. *An constet de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum, nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis venerabilis Servae Dei Teresiae Eustochio Verzeri, in gradu heroico, in casu et ad effectum, de quo agitur?* Omnes, qui convenerant quum Reverendissimi Cardinales tum Patres Consultores suas quisque ex ordine aperuerunt sententias; quibus tamen intento laetoque animo exceptis et perpensis, Sanctissimus Dominus noster supremum Sibi reservavit iudicium, cunctosque, qui aderant, ut communes fervidasque funderent Deo preces, interim est adhortatus, praesidium et lumen a Patre luminum impetraturus. Quumque decretoriam sententiam Suam patefacere statuisset, hodiernam designavit diem Dominicam Passionis; ideoque, divina Hostia ferventer oblata, ad Vaticanas aedes arcessiri iussit Reverendissimos Cardinales Antonium Vico, Episcopum Portuensem et S. Rufinae, sacrae rituum Congregationi Praefectum, et Raphaëlem Merry del Val, Causae Relatorem, una cum R. P. Angelo Mariani, Fidei Promotore generali, meque insimul infrascripto Secretario, eisque adstantibus, solemniter pronuntiavit: *Constare de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum, nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis venerabilis Servae Dei Teresiae Eustochio Verzeri, in gradu heroico, in casu et ad effectum, de quo agitur.*

Hoc autem decretum publici iuris fieri, et in acta sacrorum rituum Congregationis referri mandavit postridie Kalendas apriles anno MCMXXII.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

ALEXANDER VERDE, Secretarius.

L. ✠ S.

DECREE REGARDING THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, PETER CASANI, PRIEST OF THE CONGREGATION OF CLERICS-REGULAR OF THE MOTHER OF GOD

(March 22, 1922)

SACRA CONGREGATIO RITUUM
ROMANA SEU LUCANA

BEATIFICATIONIS ET CANONIZATIONIS SERVI DEI PETRI CASANI, SACERDOTIS PROFESSI E CONGREGATIONE CLERICORUM REGULARIUM PAUPERUM MATRIS DEI SCHOLARUM PIARUM

Lucana in urbe, una eademque die 8 septembris anno 1570 natus et sancto baptismi lavacro ablatus est Dei Famulus Petrus Casani. Parentes habuit Gasparem et Elisabetham Casani, genere, censu et pietate claros. Vir autem, uxore defuncta, meliora charismata secutus, Congregationem clericorum regularium a Matre Dei ingressus, atque in ea usque ad senectutem perseverans, sancte vixit et obiit. Petrus autem, optima indole praeditus, a primaeva aetate, religionis, gravitatis et solertiae ac fervoris specimen dedit. Studiosus ac pius in Deum, misericors ac liberalis in pauperes, ecclesias atque sacra devote ac libenter frequentabat, vitamque ducebat illibatam. Inter cetera, uti fertur, a pravis condiscipulis tentatus ac in discrimine positus virtutis amittendae, e fenestra in praecipitem fugam se coniecit atque ab utroque animae et corporis periculo, Dei ope, integer et incolumis evasit. Perspicaci, quo pollebat, ingenio, assiduoque studio, litteris latinis, sanae philosophiae et medicinae arti et scientiae sedulam navavit operam in athenaeo Pisano. Musicam quoque didicit et organi sonitu sacras functiones divinasque laudes in ecclesia potissimum franciscana comitatus est. In festo die Epiphaniae post Missam cui inservierat Petrus, quadam visione ipse recreatus fuisse perhibetur Pueri Iesu, qui collo Servi Dei torquem auream instar nobilis catenae, circumposuit, ipsumque spiritali luce et arcana voce invitasse ad perfectam vitae et passionis suae imitationem. Unde memor tanti beneficii, illam composuit laudem quae incipit: *Dolce catena*, quamque ipse dulciter et iucunde decantare solebat, dum totis suis viribus Christo Deo adhaerere gaudebat. Verrente anno 1594, die 16 augusti, propensa animi voluntate ac libertate, nomen dedit Congregationi religiosae a Matre Dei, in Conlegio Sanctae Mariae, Cohortis Landinae, Lucae. Beatus Ioannes Leonardi, illius Congregationis fundator, suum alumnum Petrum valde aestimavit ac dilexit, eumque in socium et a secretis sibi adscivit in visitatione Apostolica monachorum Vallis Umbrosae in Hetruria. Tyrocinio laudabiliter peracto, Dei Servus, Romam missus, in Conlegio Romano theologicis disciplinis diligenter incubuit atque praeceptorem habuit Ven. Robertum Bellarmino et condiscipulum Sanctum Aloisium Gonzaga. Lucam reversus, anno 1600, religiosa vota simplicia nuncupavit et, sacerdotio insignitus, sacrosanctum Missae sacrificium prima vice obtulit Altissimo. Ibidem auctor exstitit et primus praefectus Congregationis Sanctae Mariae ad

Nives pro selectis iuvenibus ; sacrosque sermones e suggestu ad populum faciebat, cum subsequente fama docti ac pii praeconis. Elapso decennio, iuxta regulas Sodalitatis a Matre Dei, anno nempe 1604, die 20 iulii, Dei Famulus solemnem professionem emisit coram successore Patris Fundatoris et moderatore generali P. Alexandro Bernardini. Hic quoque, ad exemplum sui antecessoris, Petrum aestimatione et amore prosecutus, Romam secum duxit, eiusque operam valde utilem in gravibus negotiis expediendis adhibuit, commisso eidem officio secretarii generalis. In hac urbe Dei Famulus documenta et exempla Sancti Philippi Neri recentia aemulatus, confessarius, concionatur, educator optimus proximorum saluti consuluit per mirabiles peccatorum conversiones et per puerorum ac iuvenum christianam instructionem. Anno aetatis suae quadragesimo Romae degentem novit Iosephum Calasancium, qui Scholarum Piarum Institutum pueris et adolescentibus christiano more erudiendis condere satagebat, et ne novae Familiae religiosae auctoris ac fundatoris speciem sumeret, exoptabat ut suum Institutum cum altero Lucensi iam existente, a Matre Dei nuncupato, coniungeretur. Voti compos Calasancius effectus est per utriusque Instituti concordiam et unionem a Summo Pontifice Paulo V per Litteras Apostolicas in forma Brevis datas die 14 ianuarii anno 1614 legitime approbatam. Petrus Casani huiusmodi unioni maxime favit, probe noscens Scholas Pias ad quas excolendas erat inclinatus, temporum necessitatibus valde congruas, religioni et societati magnam utilitatem esse allaturas. Exinde, duodecim religiosi viri e pia domo Sanctae Mariae in Porticu, ubi Lucensis Congregatio residebat, ad coenobium Sancti Pantaleonis transierunt. Ex his rector fuit renunciatus noster Petrus, qui etiam pro Scholarum Piarum Familia, evangelicae paupertatis votum per Apostolicum decretum sanciri curavit. Attamen, post triennium, idem Pontifex Paulus V Congregationem a Matre Dei ab Instituto Scholarum Piarum seiunxit ; sed Petrus in paupere Scholarum Piarum Instituto remanere praetulit ob suam specialem vocationem, annuente et favente ipso fundatore Iosepho Calasancio a cuius latere et conversatione nequibat avelli. Quod non sine provido Dei consilio contigisse putandum est, ut nempe in arduo novi sodaliti regimine et incremento ipsimet Institutori ab alumno Petro validum suppeditaretur auxilium et solatium. Hinc, die festo Annuntiationis Beatae Mariae Virginis, anno 1617, Calasancius a Cardinalis Protectore novae Congregationis Scholarum Piarum habitum religiosum suscepit, et post ipsum alii quatuordecim sodales ad eundem habitum induendum admissi sunt, et primus Petrus Casani qui, relicto familiae nomine, in memoriam sui diei natalis et ob devotionem erga suam caelestem patronam, Petrus a Nativitate Dominae Mariae appellatus est. Hic Calasancianae Familiae tyronum magister adlectus, ad Sancti Pantaleonis, regulam in decem praecepta distinctam pro ipsis aliisque alumnis sodalibus concinnavit, quam idem Fundator sua auctoritate probavit. Inter illos tyrones effulsit conspicuum virtutis speculum Ven. Glicerius Landriani. Cum institutione tyronum simul puerorum et adolescentium magisterium conciliavit Petrus, qui etiam complura monasteria monialium in perfecta regularis disciplinae

observantia aut instituit aut restauravit. Ardenti studio et alacri opere ita Institutum Scholarum Piarum propagavit, ut eiusdem Confundator cum Calasancio meruerit appellari. Ipsius Instituti strenuus propagator fuit Narniae, Savonae, Genuae, Romae, Neapoli, et primus Provincialis in Liguria. Postea, Visitator generalis in Germania, Polonia et Moravia, plures calvinianos et lutheranos convertisse et in Ecclesiae catholicae fidem et unitatem induxisse fertur. Nec praeterire licet, quod Dei Famulus Nicolaoburgi ad haeresim sacramentariorum ibi grassantem retundendam, devotionem et cultum in augustissimum Eucharistiae Sacramentum totis viribus fovere et augere satagit per solemnem et publicam in Festo Ss^mi Corporis Christi supplicationem. Imperator Austriae et Rex Poloniae voluntate et opere Servi Dei salutiferae missioni benigne adstiterunt, domosque Instituti in respectivis eorum dominiis apertas specialibus gratiis ac privilegiis honestarunt. Anno 1641, Superiorum praecepto obtemperans, licet septuagenarius et a recenti morbo convalescens, iter trium mensium aggressus a Polonia Romam rediit ut Capitulo generali Ordinis interesset, adiutor et consiliarius sancti Fundatoris. Absoluto Capitulo, mansit in Urbe et sacerdotale ministerium confessionis et praedicationis salubriter peregit. Illius exhortationibus adhaerens Camilla Orsini, Brachiani ducis filia, Marci Antonii Burghesii vidua, omnibus mundi oblectamentis valedixit et in asceterium religiosum se recepit. Postremis vitae annis Dei Famulus particeps passionis fuit in gravissima illa insectatione, quae adversus sanctum Calasantium eiusque Congregationem exorta fuit, et cum illo etiam in custodiam coniectus. In quibus angustiis versatus, humilitatis, obedientiae ac fiduciae sensus in clementissimum Deum et in beatissimum Virginem Mariam constanter ostendit. Cardinalis Cesarini suae Congregationis patroni interventu, e carcere dimissus, novis Ordinis praepositis, quibus, ab auctoritate ecclesiastica, Scholarum Piarum regimen precario commissum fuerat, vir religiosus se totum exemplari virtute subiecit. Deo sic disponente, Petrus Casani pacem Ordini restitutam non vidit, sed meliorem et perennem in Domino quietem invenit. Nam, anno 1647, aetatis suae septuagesimo septimo, labore, austeritate et morbo, quem patientissime tulit, confectus, Ecclesiae Sacramentis reffectus ac roboratus, adstante et consolante dilectissimo Patre Calasancio, die 13 octobris e terreno exilio ad caelestem patriam evolavit. Fidelium turmae, aestimationis et devotionis causa, ad solemne funus in ecclesia Sancti Pantaleonis celebratum confluxere, et per aliquot dies, etiam postquam Petri corpus ibidem tumulatum funerat, piorum civium frequentia iterata et continuata est. Interim fama sanctitatis vitae et virtutum supernis charismatibus aucta, quam Dei Famulus in vita sibi adeptus fuerat, post obitum magis in dies clara et diffusa emicuit. Quare super ea tum Romae tum Lucae Processus informativi auctoritate Ordinaria constructi sunt. Quibus absolutis et sacrorum rituum Congregationi exhibitis, quum, iuxta ordinem iuris, omnia in promptu sint et nihil obstet quominus ad ulteriora procedatur, instante R^mo P. Francisco Tiboni, Causae postulatore una cum universa Congregatione clericorum regularium Pauperum Matris Dei, Scholarum Piarum, atque

attentis Litteris postulatoriis quorundam Eñorum S. R. C. Cardinalium, praeunte Eñno Domino Alfonso Card. Mistrangelo, Scholarum Piarum, Archiepiscopo Florentino, atque plurium Archiepiscoporum et Episcoporum, necnon Capitulorum ecclesiarum cathedralium, Ordinum seu Congregationum religiosarum aliorumque virorum ecclesiastica vel civili aut militari dignitate praestantium, Eñus ac Rñus Dominus Cardinalis Victorius Amadeus Ranuzzi de Bianchi, eiusdem Causae Ponens seu Relator, in Ordinariis Sacrorum Rituum Congregationis comitiis subsignata die ad Vaticanas aedes coadunatis, sequens dubium discutiendum proposuit: *An sit signanda Commissio introductionis Causae in casu et ad effectum de quo agitur?* Et Eñi ac Rñi Patres sacris tuendis ritibus praepositi, post relationem eiusdem Eñni Ponentis, audito R. P. D. Angelo Mariani, Fidei promotore generali, omnibus perpensis, rescribendum censuerunt: *Affirmative, seu signandam esse Commissionem introductionis Causae, si Sanctissimo placuerit.* Die 21 martii 1922.

Quibus omnibus Sanctissimo Domino nostro Pio Papae XI per infrascriptum Cardinalem sacrae rituum Congregationi Praefectum relatis Sanctitas Sua rescriptum eiusdem sacrae Congregationis ratum habens, propria manu signare dignata est Commissionem introductionis Causae beatificationis et canonizationis Servi Dei Petri Casani a Nativitate Beatae Mariae Virginis, sacerdotis professi e Congregatione clericorum regularium Pauperum Matris Dei, Scholarum Piarum, die 22 eisdem mense et anno.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, Secretarius.

AUTOGRAPH LETTER OF HIS HOLINESS PIUS XI TO THE CARDINAL SECRETARY OF STATE WISHING SUCCESS TO THE DELIBERATIONS AT THE GENOA CONFERENCE

(April 12, 1922)

ACTA PII PP. XI

AD EMUM P. D. PETRUM TIT. S. LAURENTII IN LUCINA S. R. E. PRESB.
CARD. GASPARRI, A SECRETIS STATUS: DE FELICI SUCCESSU CON-
VENTUS IANUENSIS LEGATORUM DE PACE AUSPICANDO.

SSMI DOMINI NOSTRI

LITTERAE AUTOGRAPHAE

(Traduction)

DU VATICAN, le 29 Avril, 1922.

Monsieur le Cardinal,

L'ardent désir dont Nous sommes animé de voir enfin s'établir dans le monde l'empire de la paix véritable qui consiste principalement dans la réconciliation des esprits et non pas seulement dans la cessation des

hostilités, Nous fait suivre avec le plus vif empressement, et même avec une anxiété mêlée de crainte, le cours de la Conférence de Gênes pour laquelle Nous avons déjà invité le peuple fidèle à implorer par de ferventes prières les bénédictions de Dieu. Et Nous ne pouvons dissimuler, Monsieur le Cardinal, l'intime satisfaction que Nous éprouvons à savoir que, grâce à la bonne volonté de tous, les obstacles qui, dès le principe, semblaient éloigner la possibilité de tout accord, ont été surmontés.

Personne ne peut douter, en effet, que l'heureuse issue d'une aussi importante réunion qui renferme dans son sein les Représentants de presque toutes les nations, n'ait à marquer une date historique pour la civilisation chrétienne, spécialement en Europe. Les peuples qui ont tant souffert du conflit passé et de ses récentes conséquences si tristes, désirent à juste titre que l'œuvre de la Conférence écarte, autant qu'il est possible, le péril de guerres nouvelles, et pourvoie au plus vite au relèvement économique de l'Europe. Si elle assure pleinement ces nobles buts, intimement liés entre eux, ou tout au moins, si elle établit les bases de leur future et prochaine réalisation, la Conférence de Gênes aura bien mérité de l'humanité en lui préparant comme une ère nouvelle de paix et de progrès au sujet de laquelle on pourra dire, en se servant des paroles de la Sainte Ecriture que 'la justice et la paix se sont embrassées,' tout en ne séparant pas la charité des exigences de la justice.

Un semblable retour à l'état normal de l'humanité dans ses éléments essentiels, conforme aux principes de la droite raison, lequel est également en rapport avec une certaine ordonnance divine, sera souverainement profitable à tous, vainqueurs et vaincus, mais particulièrement à ces malheureuses populations de l'extrême Europe, qui déjà désolées par la guerre, par les luttes intestines, par la persécution religieuse, sont à l'heure actuelle décimées par la faim et par les épidémies, alors qu'elles possèdent dans leurs territoires tant de sources de richesses et qu'elles pourraient être de puissants éléments de restauration sociale. A ces populations, bien que, de longue date déjà, elles soient séparées de Notre communion par le malheur des temps, Nous souhaitons que parvinene, avec celle de Notre regretté Prédécesseur, Notre parole de compassion et de réconfort, ainsi que le vœu ardent de Notre cœur paternel de les voir jouir avec Nous des mêmes bienfaits 'd'unité et de paix' exprimés par la commune participation aux saints Mystères.

Que si, par comble de malheur, les tentatives de sincère pacification et d'accord durable venaient à échouer encore dans cette Conférence, qui donc, Monsieur le Cardinal, peut penser sans effroi à l'aggravation qui en résulterait des conditions déjà si malheureuses et si menaçantes de l'Europe avec la perspective de souffrances toujours plus grandes et le danger de conflagrations capables d'entraîner avec elles toute la civilisation chrétienne, puisqu'aussi bien, comme le dit très justement Saint Thomas (*De regimine Principum*, I, 10), et comme l'expérience le confirme, 'le désespoir entraîne audacieusement à tous les attentats.'

C'est pour cela que Nous-même, en vertu de cette mission universelle de charité qui Nous a été confiée par le Divin Rédempteur, Nous supplions les Représentants de toutes les Nations d'unir leurs efforts, selon

l'esprit chrétien et avec la mutuelle bienveillance qui en découle, en vue de procurer le bien commun qui, en fin de compte, tournera à un bien plus grand et plus durable pour chaque nation. Mais puisque cela ne se peut faire pleinement sans le secours efficace de ce Dieu qui est et qui doit être reconnu comme l'Auteur premier et le Gouverneur suprême de la société, 'Rex regum et Dominus dominantium,' c'est à Lui que Nous exhortons de nouveau avec instance le peuple chrétien de recourir, redisant en faveur de la société civile la belle prière que, dans la vénérable Liturgie de la Semaine Sainte, Nous avons faite pour l'Eglise : *Deus et Dominus Noster pacificare, adunare et custodire dignetur toto orbe terrarum, detque nobis quietam et tranquillam vitam degentibus glorificare Deum Patrem Omnipotentem.*

C'est ainsi que pourra vraiment s'obtenir cette prospérité publique qui est la fin naturelle de toute société civile et que l'Eglise favorise également en dirigeant les hommes vers leur fin surnaturelle : *ut sic transeamus per bona temporalia ut non amittamus aeterna.*

En portant à votre connaissance ces sentiments et ces vœux de Notre cœur afin que Nos Représentants diplomatiques s'en fassent les chaleureux interprètes auprès de leurs Gouvernements et de leurs peuples respectifs, Nous vous accordons de grand cœur, Monsieur le Cardinal, la bénédiction apostolique.

PIUS | PP. XI.

REVIEWS AND NOTES

BIRTH-CONTROL. By Halliday G. Sutherland, M.D. London : Harding and More, Ltd.

THE word 'Birth-Control' offers a sad if illuminating commentary on modern social conditions. Usage has attached an unsavoury meaning to the exclusion of its legitimate and more obvious sense. Nature provides only one controlling force over the wonderful mystery of birth continence. For the sake of clearness and in justice to the much-abused word, it is well to remember that it has a decent and legitimate sense.

Birth-control does not create any new situation for the Catholic Church. Inspired by the ideal of Nazareth she has preached continence in the married state, and secured, even in the so-called dark ages, a standard of pure family life which is sadly lacking in the Europe of to-day. Neither is artificial birth-control a novelty, unfortunately. What is new, however, is the widespread and cunning propaganda which aims at universalizing the knowledge and use of artificial contraceptions. This certainly creates a situation for all who are concerned with morality, public and private; and to judge from recent election addresses they are legion. A vigorous campaign is being carried on to prove that birth restriction is necessary for the economic welfare and physical health of the race. Arguments are advanced on social and medical grounds: a regular system has been elaborated—all in the sacred name of Reform and Progress. Thus we find prominently advertized in a high-class review of politics and literature a 'Society for Constructive Birth-control and Racial Progress,' which professes among its objects 'to supply all who still need it with the full knowledge of sound physiological methods of control.' In otherwise respectable magazines one will find advertized regularly books on sex-enlightenment for the purpose of health-promotion. These reformers go even further in their zeal for the dissemination of their practices. Public clinics have been established in some large cities, where persons of the poorer classes are instructed in 'sound physiological methods of control.' All this is being done under the prestige of highly-placed respectabilities and with an assurance little short of effrontery. Last summer a certain Lord Dawson, Physician to the King of England, took it on himself to lecture the Anglican Church Congress at Birmingham for its conservative attitude to birth-control, and his speech was featured by the newspapers.

These details are mentioned to show how timely is the book on this subject by Dr. Sutherland, a prominent Catholic physician. He examines critically the case made for birth-control and the various arguments underlying it. In his treatment of the social and economic fallacies on which this Neo-Malthusian creed is based, the author is not so

successful or so convincing as one would wish. Statistics are never, of themselves a safe medium of proof: a full examination of the relation between population and wealth-production would require longer and deeper treatment than the author has seen fit to give. He is at his best on the more positive and practical aspects of the question, as where he unmasks birth-control as the capitalist quack remedy for poverty and one of the vilest impostures that ever masqueraded under the name of Reform. His treatment of the evils of artificial control is very effective and the statement of the moral issues quite sound.

Dr. Sutherland impresses us by his earnestness and vivid realization of the seriousness of the question. His treatment may not appeal to everyone: it is often bare and incoherent, but even with these faults—and they are pardonable in such a modest work, which makes no pretensions to being the last word—the book is well worth reading for those who are new to the subject. It will show them the importance of the matter and enable them to embark on further reading with appreciation and discernment. The economic and social contentions of the Neo-Malthusians deserve the consideration not merely of professed guardians of morality but of all persons of education and public spirit. The unmasking of imposture is not the least noble service that can be done the public.

M. J. BROWNE.

SOME ASPECTS OF THE DOGMA OF EXTREME UNCTION. By Rev. Austin Quinn, D.D., All Hallows College, Dublin. Dublin: M. H. Gill & Son.

THE reader of the ordinary text-book of theology scarcely gets even an inkling of the fact that behind the prevailing doctrine and discipline of Extreme Unction there is a rich and varied history. For this the text-book cannot be held responsible. It must deal with living, essential things, in the precise form in which they are essential; it cannot permit itself the luxury of upholstery. But the fact remains that the text-book alone rarely produces an enthusiastic student. Interest can develop only with wider reading, and hence the value of such a book as that which we have the pleasure of reviewing.

While we desire to present the reader with a description of the main contents of Dr. Quinn's volume, we cannot do so in an exhaustive way. Its scope, the reader will observe, is limited by its title to questions of a dogmatic character. Yet, from the nature of the case, the solution of these questions must determine the procedure in the actual administration of the sacrament, and therefore, no prospective reader should be frightened off by the fear that the book may not be *practical*.

In the first chapter the author deals with the New Testament evidence for the sacrament. In common with most theologians, he regards the anointing mentioned in Mark vi. 13 as most probably non-sacramental, and proceeds to discuss the well-known text of St. James. In this connexion he deals with the modern Protestant theories. The

second chapter presents the Patristic evidence for the sacrament, beginning with the *De Praescriptionibus* of Tertullian, and concluding with a thorough discussion of the commentary on the text of St. James by the Venerable Bede. As we might expect, the writers of this period do not supply any considerable evidence regarding the sacrament, beyond testifying to the fact of its existence and use. No doubt, if the early commentaries on James, 'from the hands of Cyril of Alexandria, Clement of Alexandria, Didymus and Augustine' had survived, we might have been better off in this respect. As it is, the commentary of Bede is the earliest extant, and that brings us into the eighth century.

In chapter iii. the official documents of the first eight centuries are examined. The interesting fact is stated (p. 48) that the first known occurrence of the name *Extreme Unction* is in the Statutes of Sonnatius, Bishop of Rheims from 600 to 631.

The most valuable portion of the book, we think, is the fourth chapter, dealing with the matter of the sacrament. Notwithstanding the apparently decisive 'Decretum pro Armenis' of the Council of Florence, the practice, even in the Western Church, was not normalized till almost two centuries later, not to mention the customs of the Eastern Church. The important question is, whether the oil used must be blessed by a Bishop? After quoting authorities in favour of the affirmative view, from the earliest times, Dr. Quinn faces the problem raised by the practice of the Eastern Church. If the oil must be consecrated by a Bishop, how can the Eastern have a valid sacrament with oil consecrated by a priest? And while hastening to add that the Western Church never doubted the validity of the sacrament, as administered according to the Eastern rite, the author admits the existence of a serious problem (p. 58). Rejecting the view that priestly orders in the East are of a higher degree than in the Western Church, he favours the opinion that in addition to the power of orders, a power of jurisdiction is also required. We find it hard to regard this view as satisfactory, for reasons of which Dr. Quinn himself takes full account.

Many interesting questions arise in connexion with the proximate matter. What will immediately strike the reader is the wonderful variety of rites which prevailed in the earlier centuries. He will contrast the simple rite attributed to Gregory the Great, which prescribes only one unction, with that of Theodulf of Orleans, which prescribes fifteen, as follows :—

'First between the shoulders a large cross upwards to the neck, and transversely to the top of the shoulders (with accompanying prayer), then on the neck up to the nape; the third on the head, up to the forehead and across from ear to ear; the fourth and fifth on the sense of sight, i.e., the eyebrows; the sixth on the sense of smell, i.e., the nose or nostrils; the seventh on the sense of taste, i.e., the lips; the eighth and ninth on the sense of hearing, i.e., on the outside of the ears; the tenth on the throat; the eleventh on the breast; the twelfth and thirteenth on the sense of touch, i.e., on the outside of each hand; the remaining two on the feet. We make crosses with holy oil to the

number of fifteen in this way over the sick, on account of the mystery of the Trinity and the signification of the five senses. Three times five completes fifteen' (p. 66).

After a survey of these various rites, with varying numbers of unctions, Dr. Quinn inquires what is to be regarded as essential. And if one unction is sufficient for validity, what is the effect of the others? His own conclusion is that each anointing is sacramental, that a single unction suffices to confer the substance of the sacrament, with sanctifying grace, and that the remaining unctions confer actual graces peculiar to the sacrament (p. 80). Hence the Church would be justified, in special circumstances, in being satisfied with a single unction, and in dispensing with sacramental effects of comparatively small importance.

The final chapter, on the subject of the sacrament, may, by some, be considered the most interesting, because the most practical. To whom may the sacrament be administered? The Greeks have been accused of having conferred it on persons in full health, but suffering from a spiritual malady. During a certain period, the Western Church went to the other extreme, and refused it except to those in the very last stages of illness. This was largely due to abuses that arose in connexion with the administration of the sacrament, in particular to demands for payment made by the clergy. Such practices would have made the faithful postpone the reception of the sacrament till the last possible moment. The teaching of Scotus, that Extreme Unction should not be administered except to those who cannot commit further sin, never had any authoritative support.

The author concludes with two very practical questions: At what stage in a lingering illness may the sacrament be administered? And when may it be repeated? The working priest knows the difficulties that arise in connexion with these questions. Dr. Quinn does not enter into details, but he lays down sound general principles. A person may be said to be in danger of death when a lingering disease enters upon a sufficiently pronounced stage, even though he may live for several months. The reply of the Propaganda (in 1801) permitted missionary priests to anoint in such cases, when a priest could not be expected to be available in the later stages of the illness.

With regard to repetition, practice must keep in line with the fixed principles, (a) that the sacrament may be administered only in danger of death, and (b) that its effect lasts as long as the illness which demanded its administration. It follows, therefore, that, while the danger of death remains the same, repetition would be invalid. And hence, we may add, will appear the mistakes that may result from the indiscriminate anointing, once a month, of all who suffer from a lingering illness. St. Alphonsus never meant his words to receive such a cast-iron interpretation. When properly understood, they are an excellent and safe guide, but the priest should decide difficult cases under medical advice, which, in our days, is more readily available and more reliable than when St. Alphonsus wrote his *Theologia Moralis*. Every priest would profit by a study of this book.—P. O'NEILL.

MEDICAL PROOF OF THE MIRACULOUS. By E. Le Bec. London: Harding and More, Ltd.

THIS is a translation, by Dom Izard, O.S.B., of M. Le Bec's well-known work on the miraculous cures which have taken place at Lourdes. M. Le Bec is a distinguished French surgeon and has been for years, as President of the Bureau des Constatations at Lourdes, engaged in the work of investigating and certifying cures. He is, therefore, in a position to speak with authority on the medical aspects of these phenomena. His work is not concerned with the theology, but rather with the physiology of the miraculous. Leaving to theologians the discussions of the possibility and nature of miracles, he aims at showing where precisely in the physiological process of a cure the inexplicable occurs. The lay-mind can appreciate the sudden cure of cancer or tuberculosis as an extraordinary event demanding outside interference; medical knowledge is not required to feel the force of an obvious and unparalleled fact. But the trained specialist must go deeper: it is his duty to see whether scientific examination of detail will confirm general impressions, and to point out where and how the extraordinary has happened. To take an example: the cure of a fracture requires the disposition of calcareous salts at the affected osseous parts to form a unifying callus. These salts are absorbed through the digestive process and are present in the blood in minute quantities. The amount deposited over a particular area for a certain length of time depends on the capillary volume and the rate of flow of the blood: during a minute the amount deposited on a callus would not reach the one-thousandth part of a gramme. Yet the instantaneous cure of fracture of the leg requires the deposition of not less than five grammes. Again, the cure of cancer requires not merely the disappearance of the cancerous matter—itsself an inexplicable phenomenon—but also the elimination of the poisonous toxins which the cancer diffuses through the blood. This takes place through the action of the kidneys and, owing to the proportion between their size and the volume of the blood, is necessarily slow. The purification of the blood required by the instantaneous cure of cancer means that the kidneys would receive at once twenty-four times more fluid than they are able to contain. Thus the miraculous aspect, from being a general impression, becomes a physical or even mathematical certainty when examined under the microscopic lens of science. In some of these cases no explanation can be offered except the production of necessary matter and the destruction of unnecessary and harmful. In others, the normal force of nature is not transcended, but is immensely accelerated. M. Le Bec emphasizes strongly the importance of this 'time-factor.' In succeeding chapters possible explanations of these phenomena, drawn from the action of intermediary natural forces, such as radio-activity or suggestion, are analysed and sifted. The old objection of the unknown forces of nature is submitted to a searching and merciless dismemberment.

The second portion of the book is taken up with a detailed clinical

description of twelve miraculous cures of various diseases. The history of the different cases illustrate and drives home the principles laid down in the first portion on the physiology of the miraculous.

M. Le Bec's work is a very clear and scholarly exposition of a rather technical subject. It does not make or pretend to make any contribution to theological science. Its chief value consists in this: that it is a powerful illustration of the truth that the Church has nothing to fear from science. Her contentions will bear the most ruthless scrutiny, will, in fact, emerge more cogent and triumphant. The translation has been effected with great care, and the *format* of the book is excellent. We have great pleasure in commending its perusal to our readers.

M. J. BROWNE.

FACTI SPECIES ET QUAESTIONES DE RE MORALI, auctore Sac. Ioanne Baptista Pagani. Novara: E. Cattaneo. Irish Agents: Messrs. M. H. Gill & Son. 1921.

THIS is quite a substantial volume of 'Cases of Conscience,' of close on six hundred pages. Of such a work a reviewer can usually have little to say, but the book before us is not altogether like similar productions with which we have been familiar. The author has been a professor, who evidently was accustomed to deliver his teaching in a concrete form. That is the feature which strikes one most forcibly on reading the cases which are discussed under the treatises on Human Acts, Conscience and Laws. It is often difficult to make these subjects appear real and practical; the author of the cases under review has succeeded admirably. We have very personal illustrations of the meaning of *voluntarium* and *liberum*, of the act with two effects, of the old question regarding the malice of the external, as distinct from the internal, act.

Cases IX and X reveal the author as a Probabilist in a limited, moderate way. The principle '*lex dubia non obligat*' he restricts to cases in which positive law is uncertain because of some defect, either because it has not been sufficiently promulgated, or because it has been obscurely worded. And he quotes the first part of Canon 15 of the Code: '*Leges etiam irritantes et inhabilitantes, in dubio iuris non urgent.*' If he had cited the remainder of the Canon, he might have shown more clearly that the *lex dubia* principle is really not a general principle at all. His solutions of the cases illustrating the use of a probable opinion are invariably reasonable.

A few cases contain what is practically a treatise on the nature of law and its divisions; the subject of ecclesiastical laws; and the binding force of local laws in regard to *peregrini* and *vagi*. In the cases referring to sin, very clear and much-needed explanations are given of the terms *delectatio*, *desiderium*, and *gaudium*.

We may refer to some other cases which we have found very thoroughly dealt with—superstition, hypnotism, and spiritism under the First Commandment; the law of fasting; the obligation of restitution

arising from a juridical fault ; a contract with an unlawful object ; error and fear in contracts ; bankruptcy and conscience (where the author disagrees with Crolly's conclusion) ; methods at auctions ; reading of forbidden books. We have not had time to examine thoroughly the portion dealing with the Sacraments, but we find cases dealing particularly with all the problems of Baptism, Penance, and Matrimony.

The work gives ample evidence of solid learning, both sacred and profane, and of sound, mature judgment. On every page the reader is referred to the works of all the great (and many of the lesser) theologians and canonists. Every case solved will amplify and clarify the teaching of the text-book, while the language might compare not unfavourably with that of the Augustan period.

Altogether the book is one that can heartily be recommended.

P. O'NEILL.

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NOTES OF TWO IRISH MEDICAL SCRIBES

BY REV. PAUL WALSH, M.A.

I

FEW scholars have busied themselves with our Irish medical manuscripts. To read them intelligently, one requires, besides the preliminary acquaintance with the native palaeography, a good knowledge of medieval Irish, and a good knowledge of Medicine, as that science was understood in the Middle Ages. The old physicians regarded as their special sphere of study not merely Medicine, but the Physical Sciences, Astronomy, Astrology, Philosophy, Metaphysics, and Computation as well. It is not surprising, then, that, with a few exceptions, Irish manuscript books which deal with Medicine or allied matters have been allowed to lie neglected during the past two or three centuries. In recent years a few attempts have been made by Norman Moore, Whitley Stokes, Cameron Gillies, and others, to bring before students some of their contents, but nothing like a comprehensive study of Irish medieval tracts has been attempted up to the present. As Prof. Edward Gwynn says in his recently-published catalogue of Irish manuscripts in the library of Trinity College, Dublin, almost everything has still to be done in this department of study. And yet the medical manuscripts extant in the Irish language have a particular attraction. Few collections dealing with other subjects give us so many details regarding scribes and the materials they employed. Indeed, many of the extraneous notes which the medical manuscripts preserve might be called effusive or voluminous in comparison with, say, the scribal entries in the Book of the O Connor Don, one of the most precious of our old poem-books. Furthermore, many volumes of the highest importance in literary criticism have no record of, as the old composers

put it, time, place, person, or cause of making. Hence, I think it will be of some interest to readers of the I. E. RECORD to translate and annotate certain entries in two copies of an Irish version of, perhaps, the best-known treatise on Medicine current in Ireland during the late Middle Ages.

Bernard de Gordon, or Bernardus Gordonius, compiled at Montpellier, in France, in or about 1303, a work in seven books, entitled *Lilium Medicinæ*, or 'The Lily of the Art of Medicine.' The original was printed for the first time in 1480, at Naples, and there are versions in the French, Spanish, and English languages. It was rendered into Irish by a certain Cormac Mac Duinnshleibhe,¹ whom we know to have been at work on the translation of another medical treatise in 1459. If one may judge from the number of copies, some complete, others fragmentary, which we possess of this translation, the work must have been very popular with Irish practitioners. Manuscript 3 C 19, in the Royal Irish Academy, is the one with which we are concerned in the present article. It was written in 1590 by Richard O Connor, a Leinsterman, who died in 1625. There is also in the Royal Irish Academy another particularly fine exemplar marked 24 P 14, which, like that we are about to quote from, is well furnished with personal notes by the scribe. This latter comes from South Leinster. Its text was used at a later time (1729) to supply certain missing portions in 3 C 19. An account of Core O Cadhla, who compiled it in 1577-8, will follow our translation of some of the notes which Richard O Connor has left, and which lend so much interest to his manuscript.

According to an ancient foliation, eighteen leaves are wanting at the beginning from the volume we are now to study. With these missing leaves the Introduction to Bernardus de Gordon's treatise has been lost. But Standish Hayes O Grady has published this portion of the work in full in his catalogue of Irish manuscripts in the British

¹ The manuscripts we are concerned with give the name as Ua Duinnshleibhe, but this must be an error.

Museum, and from it it will be convenient to cite the author's reason for adopting the title *Lilium Medicinæ* for his work. This is what he says (I give an English version) :—

Wherefore, in honour of the Celestial Lamb, who is a brilliance and a glory to God the Father, I bestow as a title on this book the name of 'The Lily of the Art of Healing.' For this is the nature of the lily; it hath many blossoms, and these have seven bright leaves, and seven golden grains on every blossom. And thus shall this book be; for it shall have seven chapters, the first of which shall be golden, bright, and illuminated, inasmuch as it shall speak of the universal maladies, beginning with the fevers; and the remaining chapters shall also be enlightened, shining, and resplendent, because every thing of which they shall discourse shall be plain.

Bernardus' work, then, in conformity with this prolegomenon, has seven chapters or *particulæ*. The scribal notes which concern us here occur for the most part at the breaks between the separate chapters. The first is entered at the end of the third greater section, and may be turned into English thus :—

There finishes the third particle of the Lily, with the help of the Saviour, on the 18th of November, and far distant from one another are the places in which this book was written. For none of my temporal lords survive, and my parents, too, are dead, and I myself have neither wife nor home. All I could do when I was tired in one place was to transport myself to another. And, indeed, I did not write a week's work of it except in the house of a kinsman or kinswoman, or some great friend of my own. In this way: I commenced it in Clann Fheoruis¹ at Cluain Each,² in the house of John Og Alye³ and his wife Margaret

¹ The country of the Berminghams, that is, the barony of Carbury, in the north-west of Co. Kildare.

² Clonaugh, in the parish of Cadamstown, barony of Carbury. The remains of the castle there were removed over half a century ago, and were used in the building of the Catholic church of Kilshanroe, about a mile distant. The structure was erected in 1578. See the Rev. E. O Leary, in the *Journal of the Kildare Archaeological Society*, iii. 50, ii. 137.

³ The name is variously spelled Alye, Lye, Lee, Leigh, etc. The Irish forename John Og shows that the father of the person referred to was also named John; cf. O Leary, *ibid.* iii. 45. Clonaugh was granted in 1571 to John Alee, 'a messenger unto ye dangerous places,' and we learn further, in 1587, that 'Lye being an Englishman is very perfect in the Irish tongue' (*Calendar of State Papers*, 244). He was official interpreter to Dublin Castle. He died on May 7, 1612, his wife then being Amy Fitzgerald. Unless there is a confusion of father with son, John the Younger must have been married twice at least, Margaret Darcy being here vouched for as the wife of John Og Alye.

Darcy. From there I went to Baile an Fheadha,¹ and stayed with Calvagh,² the son of O More, and his wife, Margaret, the daughter of Scurlock.³ From there I went to Carraig Fheoruis,⁴ to Edward, son of Walter, son of John Mag Fheoruis, a true friend and a kinsman to me. His wife is Isabella Hussey, daughter of Meyler. From there I went to Dun Uabhair.⁵ These are they who live there, namely, James, son of Gerald, son of John, son of William Og, son of Thomas (this William Og was grandson of Thomas Fitzgerald of Coill na Cuirte Duibhe⁶) and his wife Margaret, daughter of Redmund Og, son of Thomas (Redmund was the best nobleman of the descendants of John, son of the Earl, and also, it is improbable there was any of the Fitzgeralds of all Leinster in his own time comparable to him). From there I went to Pollardstown⁷ to the good heir of that good couple, namely, William, and that same son is my dearest friend in all the world save a few. The wife of William is Eleanor, daughter of John Mac Valronta.⁸ And thence I went to Almhain Laighean⁹ to Garret, son of Philip, son of Maurice. He is of the family of the Knight of Kerry, and I know not in the county of Kildare at this moment a head of a house more hospitable than he. His wife is Mabel, daughter of George Fitzgerald.¹⁰ Next to Dun Muire.¹¹ These reside in that place, namely, Edward Hussey, the son of Meyler of Mulhussey,¹² a gentleman pious and charitable according to his means, and his wife

¹ Ballina, in the parish of Cadamstown, barony of Carbury.

² Calvagh was the son of Rory Caoch O More, who became chief of Leix in 1542, and his wife Margaret Butler of the Ormond family. On April 22, 1574, he was granted the manor of Ballina and adjacent lands, and he had subsequent donations in the counties of Meath and Dublin, in virtue of services rendered by his father to Edward VI. He died on March 27, 1618, leaving two sons, Rory, who organized the rising of 1641, and Lewis, ancestor of the last O More.

³ According to Father Edmund Hogan, this was Scurlock of Frayne, Co. Meath; the same authority wrongly says the marriage of Calvagh and Margaret took place in 1600 (*Ireland in 1598*, p. 267).

⁴ Now Carrick, in the barony of Carbury. The longer form of the name was still in use in the sixteenth century, e.g., Bretingham of Carrikeris occurs in 1598.

⁵ Donore, in the parish of Carragh, barony of Clane.

⁶ This seems to be Blackhall, a name which occurs three times in Co. Kildare. There was a branch of the Fitzgerald family settled in Blackhall, but I am not sufficiently acquainted with their pedigrees to be able to identify the persons here referred to.

⁷ The townland and parish of this name are situated in the barony of East Offaley, in the county of Kildare.

⁸ Could this name stand for Wellesly, which occurs frequently in Kildare at this time? If it does, the Irish interpreted the English name as Wel-sealy Val-róna.

⁹ Allen of Leinster, in Co. Kildare.

¹⁰ Or perhaps the correct translation is George, son of Gerald.

¹¹ Dunmurry, a townland and parish in the barony of East Offaley.

¹² Mulhussey, three miles from Maynooth, in Co. Meath.

Mary, daughter of Calvagh,¹ son of Tadhg, son of Cathoir O Connor, a kinswoman and a sponsor in Baptism to me. All these places we have mentioned are in the county of Kildare.

From there I went to the county of Kilkenny to visit Viscount Mountgarret, Emonn,² son of Richard, son of Piarus, Earl of Ormond. His wife is Grainne, daughter of Mac Giolla Padraig, Brian,³ son of Brian, son of Sean. Grainne's mother was the daughter of O Conchubhair by the Earl of Kildare's daughter. The said Grainne was my temporal lady, and she, on her mother's side, was my near kinswoman. It was she who, since I passed my twelfth year, for the most part provided for my education. About the same age I lost my father. My years now are these: I shall be twenty-nine this next Christmas Eve.

This portion of the book, the third chapter, was completed in Baile na Cuirte,⁴ and it was written at a later time than the remainder, in the house of Grace, that is, Oliver,⁵ son of Robert, son of John, son of Oliver, a hospitable, noble, and learned man. I do not mention here what was written of this book in Ossory in the house of Mac Giolla Padraig with his ollav, Donnchadh Og,⁶ my teacher and my own kinsman; nor what was written of it in the County Wexford and in the County Carlow; nor the part of it which I wrote in the house of Thomas, son of Redmund, and his good wife, Sadhbh, daughter of Mac Giolla Padraig; for I have spoken of these in another place in the book.

This lengthy passage is instructive in more ways than one. In the first place, it shows that the habits of the Irish doctors in the practice of their profession were similar to those of the bards. Besides being officially attached to particular families, they became itinerant at times, and sought for patronage over wide areas. In the case before us we find the doctor roaming over practically a whole province in search of employment. Note, too, the interesting

¹ Calvagh, son of Tadhg, son of Cathaoir, was of Derrymullen, in King's County, and was dead in 1576, when the ward of his son and the custody of his lands was granted to Laurence Delahide of Moyglare. His heir Brian succeeded in 1584 (Fiants, Nos. 2909, 4400).

² He was the second Viscount Mountgarret, and died in 1602.

³ Mac Giolla Padraig, Brian Og, son of Brian, son of Sean, who was imprisoned in Dublin, died. He was a man who had been brought up in England in his youth, and was acquainted with the manners and customs of the Court, so that it was a wonder to the Irish that he should have been detained in bondage until his death. His brother Finghin was elected in his place, for he had left no issue except one daughter' (*Four Masters*, 1581).

⁴ Courtstown, in the parish of Tullaroan, barony of Crannagh.

⁵ According to Canon Carrigan, *History of the Diocese of Ossory*, iii. 503, Oliver Grace was a brother, not a son, of Robert, and died soon after 1585.

⁶ There is a large medical manuscript in Edinburgh in the hand of this scribe (Mackinnon. *Catalogue*, 273-7).

fact that the gentry of Kildare must have been all Irish-speaking in 1590. Even the Englishman Abye, newly settled in the county, adapts himself at once to the custom already prevailing among his neighbours. Further, the grateful tone of the scribe's references to those who befriended him on his journey points to the conclusion that an Irish chief or gentleman was no less generous to the men of healing than to the men of learning.

At the end of the seventh chapter there is another note which gives us a glimpse of the scribe's personality :—

Everyone who shall read any portion of this book, let him bestow an earnest blessing on the soul of each of these whom we shall mention, namely, Bernardus de Gordon, who compiled it, and Cormac Ua Duinnshleibhe, who translated it into Irish, and Donnchadh Og O Connor, ollav in medicine of Ossory, and the best of the doctors of Ireland in his own time, though he never left Ireland to complete his learning. Understand also that the copy from which I made this one was ¹ both clear and well-written, and I assure you that, for any mistake there is in the writing, I myself am responsible, not Donnchadh's book. Also, last of all, let ye bestow your blessing, in God's honour, on him who transcribed this book, namely, Richard O Connor, son of Muirheartach, son of Tadhg, son of Muirheartach, son of Catual, son of Murchadh, son of Muirheartach na Cairrge. And wherever here I am guilty of bad writing, let ye understand that it is so because of shortness of time, and that I know how to write it better; and wherever I made a mistake or displayed ignorance, that it was not because of hurry the errors I have committed occurred. I ask of the best scholars who have transcribed such a long work as this, or who propose to do so, and who know everything which might confuse a scribe who would rather be in need of every assistance, to correct me and not be scandalised, and to always stand for my defence. For I accept their verdict, and anyone who would accept my counsel, would do likewise. And let the clownish ignoramuses who rant and rime and backbite understand that it is not from them I am seeking protection now, though they are the more numerous and in the majority. Every bit of my writing which they praise—let the other people hold me excused for it, or let them correct it; and everything which they find fault with—there is no need to offer an excuse for me for it, because it is quite right, and if it were not, they would not find fault with it. I think, too, the clowns will read the book without pointing out errors; that will not make them wise, and neither shall it render the book incapable of correction in many particulars.

¹ The manuscript reads *tuig riot nach ler deghegribha in chairt*, but *nach* is a mistake for *gurob*. The scribe intended to construct the sentence in another way at the commencement of writing.

Also I bequeath possession of this volume in conformity with the custom of men of science, namely, it shall not be given to the person who is oldest in years or richest unless he be also the most learned ; and if in that way distribution of books were always made, there would good come of it always, and there would be a very great diminution of ignorance among those who follow the profession. Anno Domini 1590.

A few words must be said about this remarkable note. First, it is characteristic of this scribe that he should name in order all the principal persons connected with the volume he produced. The original author, the translator, the owner of the manuscript copied, and the transcriber are all mentioned. There is a vellum in the British Museum written, in part at least, by Cormac Mac Duinnshleibhe. It must have been by some mistake that he was known to two Leinster scribes as Ua Duinnshleibhe. Cormac is elsewhere recognized as a translator, and this circumstance, coupled with the similarity of the two names, renders it extremely improbable that different individuals are in question. A second interesting deduction from the passage is that certain branches of the O Connor family followed the profession of medicine in Ossory. Again, the record of Donnchadh Og's proficiency, notwithstanding his want of training abroad, is clear proof that medical men in Ireland took care to keep in touch with outside information in their own branch of knowledge. Mrs. Green has a splendid chapter in one of her books on the regularity with which Irish students of Law frequented Oxford. We can now add the doctors to the list of foreign travellers. But perhaps the most striking feature in this note is the evidence of the high ideal the scribe put before himself as a scholar. He was, doubtless, not singular in this respect. Indeed all the indications are that the poets and other men of learning in medieval Ireland paid a scrupulous attention to exactness. In this respect they anticipated later ideas, and in Richard O Connor's haughty contempt for the opinions of incompetent critics, there is a distinct ring of modernity. The translation does not do justice to the vitriol he pours out on the upstarts in the domain of learning.

In another place in the manuscript there is an

enumeration of the earls in Ireland at the time the scribe was at work. They are all quite correctly set down, but there is something quaint and comical in the first entry, which states that Queen Elizabeth was in 1590, 'Earl of Desmond'—*in bhanrioghan a n-iarlacht Desmhuman*. The explanation of the remark is that, on the attainder of the last earl of this name, slain in 1583, the title was supposed to have reverted to the Crown. Hence the Sovereign, male or female, for all time remains Earl of Desmond.

Between 494 and 505 of the old pagination there is a version of a treatise which, like the *Lilium Medicinæ*, was produced at Montpellier about the beginning of the fourteenth century. This is the entry at the end:—

Thus were written the ten *Ingenia Curationis Morborum*, collected faithfully by me in Grantstown¹ in the house of Mac Giolla Padraig, namely, Finghin, son of Brian, son of John, and his wife, the daughter of O More, that is, Giolla Padraig, son of Conall, son of Maoileachlainn. May God bestow grace on these; and on him from whose copy this book was made, namely, Donnchadh Og, son of Donnchadh Liath, son of Giolla Padraig O Conchubhair; and on him who set it down in this volume, Richard, son of Muirheartach, son of Tadhg; and on him who translated it into Irish, that is, Cormac Ua Duinnshleibhe.

Here, then, is further evidence for the activity of this translator of Latin medical treatises. To the references to him in the British Museum manuscripts we may now also add two passages in Gwynn's work on the Trinity College Irish collection, pages 312 and 315.

We have seen above that our manuscript soon suffered mutilation, and that 24 P 14 was employed to supply the deficiencies. But there is further a more serious loss of the original text at the beginning of the work. With this lacunæ the well-known Tadhg O Neachtain busied himself in 1729, supplied the missing portion, and added a note of his own. As this note has puzzled the Royal Irish Academy cataloguer, I transcribe it in full, and give a translation:—

Agus as í análadh an tigherna an tan do scríobhadh an chairt si n-ar

¹ Grantstown Castle, in the barony of Clarmallagh, in Queen's County, belonged to the MacGillapatricks down to the middle of the seventeenth century.

ndiaigh 1590 re Risterd mac Muirchertaigh mic Taidhg mic Muirchertaigh 7 d'aisg sé ionna dhuillechán lothfadh (=lobhtha) ó thionsgain féin a scríobhadh Dia dá chríochnaghadh. Et is san gCúl-choill príomh-longphort Mhic Giolla Padruic .i. Finghin mac Briain an seachtughadh lá do mhí Mai san bhliadhain shuas do scríobh sé é nó do thosaigh air an obair si do scríobhadh. Gidh[eadh] anois au 15 lá do Abraon 1729. Gurab í so litir mo láimhe si Tadg mac Seáin mic Taidhg mic Seáin Uí Nechtuin ó'n gCartún Fiarach a gcontae Rosa Comáin.

[Translation.]

The year of the Lord when this following volume was written was 1590, by Richard, son of Muircheartach, son of Tadhg, son of Muircheartach; and he besought of God in the page, now rotted, wherewith he began, that He would finish it.¹ And in Cul-choill,² the chief place of Mac Giolla Padraig, Finghin, son of Brian, on the seventh of May in the year aforementioned he wrote it, or rather he began to write it. But now it is the fifteenth of April, 1729. And this is my sign manual: Tadhg, son of John, son of Tadhg, son of John O Neachtain, from Cartronperagh, in the county of Roscommon.

Between pages 506 and 598 of the manuscript we have a version of a third treatise compiled by the same Bernardus de Gordon. It was copied, in part at least, in Abbeyleix, in Queen's County: 'mesi Risderd Ua Conchubhair do sgríbh a Mainistir L[aoghise], page 581.' But the concluding note shows the scribe again under the shadow of Mac Giolla Padraig's mansions:—

Finis. Mesi Risderd etc. ro sgríobh in Prognostica so Bernaird maildi re toil Dé ar sgoil mo bráthar 7 mo mhaighistir .i. Donnchadh Og Ua Conchubhair .i. príomh-ollamh Mic Gille Padraig re leighes et Achadh Mic Airt mo log 7 a levar Ferghusa Mic Vethad ro sgríobadh in céd lá don Abraon aniu 1590. Ihs. Maria.

[Translation.]

I am Richard, etc., who, by the permission of God, wrote this *Prognostica* of Bernardus, in the school of my kinsman and master, Donnchadh Og O Conchubhair, the chief master of medicine of Mac Giolla Padraig; Achadh Mic Airt¹ is my place of writing, and out of the book of Fergus Mac Bheathadh it was transcribed. To-day is April 1, 1590. Jesus. Maria.

¹ The meaning of this is that some such prayer as the following prefaced Richard O Connor's work: *Jesus, mei est incipere, tui est finire*. See a heading of this kind at the commencement of the *Annals of Ulster*.

² Cullahill Castle, in the parish of Aghmacart, in the barony of Clarmallagh.

³ Aghmacart, an ancient parish in Upper Ossory. Portion of the Edinburgh manuscript already referred to was also written in this place.

Finghin Mac Giolla Padraig, or Florence, third baron of Upper Ossory, was a notorious supporter of the English in Ireland in his day. He was well recompensed for his sympathies by extensive grants of lands from Queen Elizabeth. He died¹ on February 11, 1613. Canon Carrigan records to his credit the fact that he never forsook the Faith of his fathers. It may now also be added that he was a patron of the learned, and that he provides another example of the generosity which always awaited a scholar in the homes of the ancient Irish aristocracy. In the case of him who was befriended on the present occasion some grateful hand has made the following entry on page 494 of his manuscript :—

Risderd mhac Muirchertaigh I Chonchubhair ar gclaochló a bhetha an 18 do mhí October 1625 .i. fer sgríbhha an leabhair so.

Richard O Connor, son of Muirchertach, departed this life October 18, 1625, namely, he who wrote this book.

PAUL WALSH.

[To be continued.]

¹ Carrigan, *History of the Diocese of Ossory*. i. 91.

CATECHETICAL INSTRUCTION IN SOUTHERN NIGERIA

BY REV. EDWARD LEEN, M.A., D.D.

A CHRISTIANITY that is not based upon a very deep and solid instruction in Christian dogma contains within itself the germs of corruption and decay. As a dissolvent of sound morals, ignorance of Catholic truth yields in potency only to positive error. Well-instructed Christians are not immune from backsliding, but at any rate a thorough understanding of the faith they possess is a very powerful aid to the practice of virtue, and a strong antidote against the perversion of the intellect which is inevitably followed by moral shipwreck. This is so well understood by the pastors of the Lord's flock, that a vast deal of time and thought has been, at all times, and is, at present, in a special manner, being devoted to the consideration of the form into which Catholic dogma is to be cast for catechetical purposes, and of the best methods of imparting a complete and connected knowledge of it to the mind of the child. The controversies actually raging on the subject import that the pedagogical problem involved is not easy of solution. In missionary countries the problem is still further complicated by the difficulties arising from the imperfection of the instruments the missionary has to employ in teaching, and, if one may be permitted to use the jargon of philosophy, the total absence of 'apperception' on the part of the taught.

According to the last 'Sacred Returns' (1920-1921) of the Vicariate of Southern Nigeria, the total number of people frequenting the church, and therefore receiving instruction, is practically one hundred thousand—96,000 odd being the actual figures; of this number 40,000 are

school-children. Seeing that there are only twenty-two priests in the mission available for ministry, it is patently impossible for them to get into personal contact with this large and ever-increasing flock, much less to give them, of themselves, the wide and deep instruction that the mission postulates as a condition of admission to the Sacraments. The dearth of priests has necessitated the inauguration of a system which has been found, on trial, to work extremely well, though it will always remain merely an expedient, until vocations for the pagan missions multiply. Numbers of natives, equipped with an elementary education, sometimes of an excellent, sometimes of a fair, and often enough of an indifferent quality, but with a good knowledge of catechism, were appointed in all the centres of the country that petitioned for the establishment of a mission station. They were called catechist-teachers. The use of natives as auxiliary helpers in the evangelization of these countries was not novel. Every reader of mission literature is familiar with the catechist. But the mission of Southern Nigeria, at least among our own missions, besides being the first to make use of these native helpers on a large scale, was original in giving to their work an entirely new direction and a much wider scope. The catechist of the old type was little more than a companion to the Father in his journeys, rendering him assistance by his knowledge of the ways and manners of the people, and acting as interpreter in the catechetical instructions. The modern catechist combines the two rôles of teacher and of catechist. He is permanently attached to the village where he resides and to all intents and purposes he is a Catholic schoolmaster. His time is divided on week-days between imparting secular and religious instruction, and on Sundays he transforms his school into a church, leading the prayers and hymns, reading the Epistle and Gospel of the day, with a commentary on it, and holding catechism classes for all the people that wish to learn, adults as well as children. As a rule, there are catechism classes every evening of the week for those who do not attend school. These men have been them-

selves, for the most part, trained in our own great primary schools of Onitsha and Calabar, and when they receive their appointment, they are paid a fixed salary—usually about £2 a month, and considerably more than that in the larger educational establishments. Some years ago, a boarding-school for the training of teachers was, after immense difficulties had to be overcome, founded at a place called Igbariam. The effects of a special and intensified religious and moral instruction imparted by the two Fathers in charge were most beneficial and made themselves felt in a most unmistakable manner all over the mission as soon as the students took up the work for which they had been carefully prepared. It is a melancholy thing to have to state that the college still stands—but that its halls are empty. It had to be closed down for want of funds and because no priests were forthcoming from Ireland to step into the breach when the health of the Irishmen who were the pioneers of this movement gave way. Yet, the supply of teachers has not run out, for the true missionary never knows defeat, and when an instrument breaks in his hands, instead of giving up in despair he bends his energies to the fashioning of a new one. At the moment of writing there are over 700 of these catechist-teachers working in the Vicariate.

What is the ordinary vehicle of instruction? It is the oral teaching of the master, based on the text of the catechism. The territory of the Vicariate is occupied by two very large tribes—the Igbo and the Ekh. Each tribe has its own language, which, whilst radically the same, suffers considerable dialectical variations from village to village. There is a catechism in each of these two languages—the Efik one being practically a literal translation of the English Catechism by the Editors of *Doctrinal Explanations*, and published by Burns and Oates, and the Igbo one being a digest, made with remarkable skill and intelligence, of various catechisms in the French and English tongues. At stated times, usually once a month, the missionary gathers his catechists together, and after having expounded the

Gospels of the Sundays, he elucidates such points of doctrine as in his tours of inspection appear to him to be ill understood or badly explained. Such is the system, and if all the teachers were endowed with ability and initiative, it would be as perfect as anything human can be. But, unfortunately, a considerable number, in fact the majority of the instructors, either distrusting their own powers or shrinking from the effort and drudgery of thinking—a common failing, by the way, with white as well as with black men—will confine themselves to the exact words of the text and will be content if their pupils memorise them sufficiently well. The boys will respond exactly to this stimulus, and as their memories are excellent, they will learn by heart and without difficulty the whole catechism. Therefore, in the last resort, their grasp of Christianity will be in direct proportion to the power of the catechism itself to yield up from its own expression a thorough understanding of the Catholic religion as such. Without at all wishing to exaggerate or to criticise severely the various approved versions of the catechism current, but from a desire to state what patient, personal investigation, combined with the results of the long experience of thoughtful missionaries amongst the pagans here reveals, it is not an understatement of fact to say that from the point of view of the missionary, from which point of view, solely, they are judged here, the approved catechisms in use are powerless to impart a knowledge of essential Catholicity.¹

In Christian countries the actual lacunae and absence of cohesion in the existing texts can easily pass unperceived. The child enters into a rich inheritance of Christian thought; everything around him suggests one aspect or other of the Christian religion to him. From all sides, from the words of good parents, from their faith-prompted judgments on passing things, from the ascetical sermons of preachers

¹ The criticisms are not levelled at this or that particular catechism. They apply to all in general. The writer has some knowledge of catechisms, having taught in Italy through the Italian catechism, and in Ireland through the ordinary books in use there, and having studied in addition the English and French text-books of catechism.

and from books, flow in on him ideas that supplement the official texts which he learns at school. Without any serious study of the catechism a child in ordinary Christian surroundings will assimilate a fairly truthful view of Catholicity.

Here the situation is totally different. The African boy or girl is born to an inheritance of pagan traditions, beliefs, and customs. Nothing that falls under the child's experience is in the remotest way suggestive of Christianity; it is easy to understand that the very opposite is the case, namely, that everything tends to form in him or in her, a religious mentality which is the very antipodes of Christianity—Catholicity and Christianity, of course, being synonymous, the sects being Christian to the precise degree in which they are Catholic. This does not mean that the native has no moral belief, is devoid of all ethical sense. It is not so. On the contrary, all the observations of the missionary support the theory, so ably expounded in Dr. Cronin's *Ethics*, that all men, without exception, are equipped with primary moral convictions and immediate conclusions from these first principles of morals. But religion is not morality. And if it is an error to confound morality with natural religion, it is a disaster to confound it with supernatural religion, which is the only one the world knows, historically speaking. The native is born a pagan, with a pagan's outlook on life. At the present he is surrounded by sects professing themselves Christian—and which offer for his acceptance a theory of Christianity which at best is indistinguishable from morality and ordinarily is nothing but humanitarianism—rapidly degenerating into quadrupedism. In the official syllabus of moral instruction prescribed by the Education Code of Southern Nigeria, kindness to animals is inserted in the same connexion as kindness to the aged, the suffering, and the poor! The problem of the Catholic missionary is to present his 'catecheses' to the pagan in such a way that will not, in the first place, allow of his confusing our holy religion with morality, and will, in the second place, give

him a thorough understanding of it as a supernatural religion. Does any of the existing texts help him to do this? Not one of them does. They are all very much wanting from the point of view of logical development and faulty from the point of view of proportion—again, I take occasion to remark in view of the purpose which the catechism in this pagan country is meant to subserve.

What is the Catholic religion? Considered subjectively, it is the elevation of the human soul to and maintenance in the state of supernatural life, which is a participation of God's own life, effected by the union of the individual soul with Christ, by means of sanctifying grace. One may quarrel with the wording of this definition; it is not meant to be scientific; but the idea it is meant to convey cannot be gainsaid: we exist for no other purpose than to possess the life of God in our souls, to maintain and develop that life, to resist every hostile attempt to destroy it in us, and dying in the possession of it, to enter into its consummation and perfection in heaven. All the positive aids and the wholesome restrictions cast around our lives, and which constitute religion objectively considered, have their *raison d'être* only in so far as they subserve this four-fold purpose. With that as a guiding principle before us, and remembering that this divine life is given by sanctifying grace only, a Catholic catechism would fall naturally, logically, and historically into the following divisions: (a) The creation of man in the supernatural (and incidentally preternatural) order by the gift of sanctifying grace; (b) the fall by the sin of Adam from this supernatural condition through the loss of sanctifying grace; (c) the restoration to this state by the recovery of sanctifying grace through the Incarnation; (d) the permanent institution—namely, the Church—for the distribution of sanctifying grace; (e) the channels by which sanctifying grace is communicated, the Sacraments; (f) finally, the means by which the divine life of grace is preserved in the soul, namely, prayer, the observation of the Commandments and actual grace. Every section, every chapter, and every

question should have a manifest connexion with sanctifying grace. In a word, sanctifying grace (I purposely reiterate the term) should be the beginning, the middle, and the end of the catechism, and everything should be explained in its light. If a man who has done the complete course of religious instruction on the lines of the received text-books, should strive to express to himself the broad, general impression left on his mind as a result of it all, he would confess, if sincere, that in the mental picture of Christian doctrine, taken as a whole, the Ten Commandments bulked centrally and hugely shading away on either side into a penumbra of disjointed dogmatic scraps, the penumbra on one side being 'illuminated darkly—by the lurid glow of the fires of hell. Surely this is not Christianity. And what is catechism for if not to impart to us a knowledge of Christianity? The Ten Commandments occupy an unduly large space and a space altogether disproportionate to their relative importance, as if Christian moralists had not laboured, successfully, to prove that they are nothing but the natural law written in man's heart, and as if Our Lord had not simplified them by reducing them to two, and as if Mount Calvary did not now interpose between our vision and Mount Sinai. This is not an objection to the Ten Commandments. *Absit!* It is an objection to the undue prominence given them in ordinary teaching—a prominence which throws an obscurity over the rest, in which Christianity and morality run grave risk of being confounded. If it be granted that sanctifying grace should be the burden or *leit-motif* running through the whole catechism, it is certainly not captious criticism to accuse of absence of all sense of proportion catechisms which dismiss grace in one question and devote fifty or so to the Decalogue. It is fatal to divorce what, for want of a better word, I must call asceticism—I should say, *religion*—from catechism. It helps to confirm the divorce between religion and education—and leads to the divorce of religion from life. The text-book put into the child's hand should lead him first to the knowledge of this glorious divine life

his soul might possess, then to the desire of possessing this life, and finally to a love of the means by which he may guard it intact, namely, the observation of the laws of God and of the Church. Taught in this manner religious teaching will not be dry and sterile, nor will religion itself appear, as it ordinarily is made to appear, a code of vexatious restrictions. It is never found necessary here to spend a great deal of time in expounding the Sinaitic Code. The sense of what is wrong, and the delicacy of conscience of an ordinary black boy is astonishing. It is one of the reasons why he is usually innocent, often good, until his passions become too strong for him, sometimes virtuous, and always full of charm and attractiveness. Of one thing one can be sure, it is, that he rarely, if ever, sins against the natural law through ignorance of what constitutes sinfulness.

In matters of detail, always judged from the same point of view, the catechism is very defective. As it would be impossible in a short article to pass in review all the points that call for criticism, a few only will be dealt with. The analyses of these will discover principles which will, of themselves, reveal the flaws in all that is passed over. Sanctifying grace is first in importance and therefore merits to be dealt with first. A common definition of it is: 'A supernatural gift of God, freely bestowed on us for our sanctification and salvation.' The word supernatural is inserted, and yet one will search the whole catechism (the one from which the definition is taken) in vain for an explanation of its meaning. Sanctification is also taken for granted. From a note in small print it seems to be identified with holiness, yet the two concepts are perfectly distinct. Holiness is a state or condition of the soul in which right action has passed into a habit, that is, when the soul elicits the acts of the different virtues with ease and facility. Holiness is always the fruit of effort, whether the holiness be natural or supernatural. If a man were created in the natural order and were to persevere in acting rightly in each circumstance, he would rightly be called a

holy, but not a sanctified, person. On the other hand, a baptized child is sanctified, but in no philosophical sense of the word, holy. These distinctions will, probably, be dismissed with the accusation of subtlety, yet they are eminently practical. In the examinations an ordinary question put to the candidate is: 'Can a man who keeps all the commandments of God perfectly during his whole life, and yet, by supposition, had not sanctifying grace in his soul, enter heaven after death?' This is the manner in which we must put the question: 'If a man had been created in the natural order and perfectly observed the law of God during his life, would he, thereby, merit to enter heaven after death?' The natives could not understand the terms 'natural order' and 'supernatural order.' In the beginning the reply to this question, put in the first form, was invariably affirmative, conclusively proving that morality and religion were identified in their minds. Now the answer is always promptly negative. If we ask further if such a man can be termed holy (*mma*—good), the reply will be 'Yes.' This questioning is necessary, because our Catholics are continually associating with Protestants, and it is necessary to guard them against the heresy of making moral conduct the sole condition of salvation, and give them a firm grasp of the gratuitousness of grace and of salvation.

The definition of sanctifying grace as that which makes the soul holy and pleasing to God is still worse. A Christian that offers this formula is reduced to silence and perplexity by this objection: If it is sanctifying grace that makes the soul pleasing to God, every created soul is displeasing to God, since it issues from His hands without having in it sanctifying grace. But the soul is God's own handiwork, and how can God's handiwork be not pleasing to Him? If he attempts to justify his position he is confronted by the difficulty in another form, viz., God cannot be indifferent to His own work; what is not pleasing to Him is necessarily displeasing; what is displeasing to God is evil; if, therefore, the newly-created soul, devoid of sanctifying grace, is displeasing to God, that conclusion must be

that God does evil, since He creates what is displeasing to Himself! Evidently there must be a misunderstanding somewhere. In this same connexion may be mentioned the statement of the catechism that the soul is like to God in being a spirit and immortal. But the devil is like to God in the same sense—it is, therefore, to be wondered at why the catechism enunciates this with a flourish of triumph as if it were something exceptional, wonderful, and beyond the exigencies of nature. Image and likeness are carelessly linked together as if they were synonymous.

It is one of the things that is most incomprehensible how this thing has been let pass unchallenged, and how any student of theology—not to speak of a theologian, and I suppose it is a theologian or theologians that make catechisms—could have overlooked the distinction, or rather the difference between these two terms, seeing that every manual of theology has a thesis in *De Deo Creante* treating of this matter of ‘image.’ A mineral, a plant, an animal—every created thing, is an image of God, in that it is a form of existence, imaging forth in itself, to a greater or less degree, Pure Existence, which is God Himself. There is an infinite difference between image and likeness. The one refers to the natural order, the other to the supernatural. The soul is like to God when it reflects in itself, in its life, and in its operations, the life and operation of God—of course, I mean, the operation *ad intra* identified with the life of God, with God Himself—and this by means of sanctifying grace. The soul is like God, when by sanctifying grace its operations are divinized—when, by faith and charity, the properties of grace, it knows and loves God, as God knows and loves Himself. In this condition the soul is not merely pleasing to God, as every created thing is, but it is beloved by God, for in it God finds Himself; the soul in a state of grace is in a sense God Himself, that is, by participation. ‘Behold what manner of charity the Father hath bestowed upon us, that we should be named and *should be* the sons of God’ (1 John iii. 1)—*consortes divinae naturae*, as St. Peter puts it (2 Peter i. 4).

As we can find no Igbo term to translate 'image' as distinct from the word expressive of likeness, we are obliged to modify the answer in the catechism to this form: 'The soul is made like to God by means of sanctifying grace.' The definition now adopted for sanctifying grace as translated from the Igbo, runs, 'grace is a supernatural (the word explained elsewhere) gift of God, which makes the soul participate in the life of God, and makes us worthy to receive eternal life.'¹

This life of the soul is destroyed by sin, and the treatment of sin in the catechism is singularly unhappy. The subject is involved in inextricable confusion—due to the fact that it is treated out of immediate relation to habitual grace. There is no clear distinction drawn between actual and habitual sin—and actual sin is confused with personal. Original sin, already mysterious in itself, is explained in a way that is absolutely mystifying, and even contradictory. One has only to juxtapose the two definitions: 'Sin is any wilful thought, word, deed, or omission contrary to the law of God'; 'Original sin is the *sin* we inherit from our first parents, etc.' What thought, word, deed, or omission is the baby guilty of? And yet if one says the baby is born in sin, it must be guilty of one of these things, since such is the definition of sin. Of course the baby has done no wrong, and therefore, by hypothesis, it is not in sin at all—absolute contradiction! The candidate for Confirmation is asked, for instance, why an unbaptized child cannot go to heaven; he will say because it is in sin. He is then asked to define sin, and he proceeds to give the definition quoted above. The examiner then requests him to point out any word, deed, act, or omission on the part of the innocent baby. The examinee is reduced to silence and perplexity and probably thinking hard things in his heart about the teacher. A clever one will extricate himself (these experiences are actual) by pointing to the fact that there is an evil act—Adam's disobedience. The examiner

¹ In Igbo: 'Grazia bu onyinye muo nhe neme nkpulobi anyi iketa ndu nhe ciuku, me k'anyi kwesia inwe ndu ebebe.'

retorts by saying that the sin is not separate from the act, and therefore original sin is in Adam and not in the baby. The unfortunate aspirant for the sacrament gives up after that—and yet, is it his fault? It is the fault of the catechism, and very few are the teachers or students that are not governed by their text-book. To make the matter intelligible, all that is required is to distinguish sin into actual and habitual. The former is the positive act or the omission in defiance of God's law, the latter being the condition of soul induced by this act. Prominence is given the former and yet it is the great evil the child is taught to regard it, solely by reason of the latter. The act itself is a vitiation of nature,—of will, or intellect, or executive powers under the control of reason,—the habit is the destruction of the supernatural, and this latter evil is infinitely greater than the other. By the habit or habitual sin¹ is meant, of course, the state of privation to which the soul is reduced by the loss of sanctifying grace, consequent upon actual sin—the violation of our own nature. Original sin for us is habitual sin, and it is nothing else than the condition of our soul being created without sanctifying grace. This is mere privation—and since it is a privation of a thing not due to us as human beings, there is nothing irrational in the fact that this state of privation is induced in us, without any personal fault on our own part. The absence of sanctifying grace is a privation, not metaphysically or physically, but solely owing to the actual historical order of Providence, in which God intended to create every human soul in the state of grace.

These strictures will appear severe, perhaps presumptuous, but are they just? The writer is convinced they are. The conviction is the fruit of bitter experience. It has taken arduous labour and great pains, and immense effort to dissipate in the minds of our black boys the confusion of thought caused by the slipshod definitions of the

¹ Some books speak of habitual sin as if it were an evil habit contracted by a repetition of evil acts. One catechism defines actual sin as the sin we do ourselves.

catechisms. The examinations were meant not merely to discover to the examiners the degree of knowledge of the candidates, but also to impart, by logical questioning, a perfect understanding of our faith. Gradually things began to become clearer to ourselves. And by the aid of discussion and interchange of ideas, the interrogatory began to assume a definite outline and to be cast in a set mould. The Vicar-Apostolic, Dr. Shanahan, and the writer of this article, examining together for more than twelve months, almost continually, and daily collating experiences, grew towards the end to have the clear synoptic view of Christianity set out above. Having secured that, the next thing was to convey it to our Christians. Has success responded to the labour expended? Yes; to no small degree. The grasp of essentials attained by the well-instructed Christians of Nigeria could safely stand comparison with that of the ordinary well-instructed Christians at home. If a catechism along the lines that I am going to suggest were available, our success would be much greater.

A catechism to suit our needs should adopt the following order and arrangement, in its main outlines. The opening chapter should deal with God and the creation of the angels and man in the supernatural order, with an explanation of its meaning. The very second chapter, therefore, should treat of sanctifying grace, its nature and its effects, as well as of the preternatural gifts of science, integrity, and immortality. The Fall and all it involved in regard to the supernatural and preternatural comes next in sequence. This logically postulates, next in order, the treatment of sin, its nature and its effects on the supernatural life of the soul. Then comes the promise of Redemption, and its fulfilment in the Incarnation. The end of the Incarnation should be stated clearly, to be the restoration to that state from which man had fallen by sin; or, more simply, the restoration of sanctifying grace and the instruction of mankind in human life. To say, as the catechism has it, that Jesus Christ became man to save us from sin and hell is meaningless. Jesus Christ does not

communicate grace directly to our souls; He has chosen to take material elements and make them the channels of this communication. An exposition of the nature, the purpose and the reasons for the diversity of the Sacraments imposes itself at this point. The catechism should treat at some length the sacraments of Baptism, Confirmation, and the Blessed Eucharist, and explain them as corresponding to the birth, maturity, and nutrition of the soul, pointing out the parallel with the different stages of the natural life. Penance should not be developed without insisting on its incidental or hypothetical character. Otherwise the child will come to regard falling into sin and receiving absolution for it as coming naturally into the scheme of the Christian life. This is not a chimerical fear. It should be pointed out that sin should enter as little into the normal supernatural life as sickness into the normal physical life. What would one think of the parents who, planning a healthy life for their child, should conceive it necessary to instruct him from the beginning in all the possible desires he might contract and lecture him on the remedies to apply. Sin should not be taken for granted, and penance should be explained just as an unfortunate necessity, like doctors and medicine. The catechism is responsible a good deal for the fact that this sacrament, which was intended to be a help towards perfection, has become a stumbling-block for many in the way of salvation. Priests will understand what this means, and I am not afraid of being misunderstood. When treating Holy Orders, the sacrificial function of the priest should be drawn in strong colours, and also the latreatic end of sacrifice. Holy Orders, sacrifice, and the Mass should be dealt with together. It is a pity that the definition of sacrifice given in the Maynooth Catechism is not retained—we find it to be the best. As a matter of fact, we have found this blue-covered penny catechism, so familiar to Irish children, at least in the old days, the one that of existing catechisms responded best to our needs—though it, too, labours, under the defect signalized above. The connexion of the Mass with the

Cross should be clearly shown. And when speaking of the sacrifice of Calvary, the ascetic deduction should be drawn, of the necessity of penance and mortification in our own lives. If children had instilled into them from the beginning the principle and the practice of penance (i.e., mortification), the fulfilment of the laws of the Church would be much easier for them as they grow up. A lot of the misery of the world is due to the stupidity of parents who make it a duty to coddle their children and train them to avoid suffering and self-denial as they would the plague. Extreme Unction and Matrimony do not call for any special comment. Christ, when leaving the world, left behind Him a permanent institution, namely, the Church, with the commission, given to it alone, to administer the Sacraments and convey His teaching infallibly to men. The distinction between the four characters of the Church as notes and marks should be clearly drawn. For illogicality of treatment it is hard to beat the *New Explanatory Catechism of Christian Doctrine* (pp. 23-28): 'The head of the Catholic Church is Jesus Christ,' we are told on page 23, and then, a few pages later, we are informed that the Church Christ founded must be Catholic! If He is Head of the Catholic Church, the Church of which He is head must be Catholic! No wonder intelligent boys are bewildered. A few of the main principles of Jesus Christ and His concept of human life should not be omitted. The Commandments of the Church should come next in order, and before the Ten Commandments. These latter should be dealt with positively and explained as merely laying down the conditions of human life that impose themselves if the life of grace is to abide in the soul. Then comes the end of human life; death is referred back to the first sin as its penalty and to the death of Jesus Christ, by which it has become the sanctified gate of eternity. Hell is the necessary consequence of the wilful rejection of God's life from the soul and Heaven is the consummation of that life for ever without end.

EDWARD LEEN.

ST. BRIGID'S PRIORY, CLONSILLA

A FORGOTTEN IRISH BENEDICTINE FOUNDATION

By W. H. GRATTAN FLOOD, Mus.D., K.S.G.

THE history of the Benedictine Order in Ireland still awaits a historian. In a previous article¹ I detailed the early history of St. Mary's Abbey, Dublin, pointing out the errors propagated by Archdall, and giving good grounds for the belief that this famous monastery was not founded till shortly before the year 1139, in which year the Dublin Benedictines became affiliated to Savigny. Authorities are not even agreed as to the number of Benedictine houses in Ireland, some giving seven, others eight, and not a few ten. As a fact, there were thirteen Benedictine houses established in Ireland, beginning with Erionnach-Carrig, Co. Down, in 1127. These thirteen, in the chronological order of foundation, are: Carrig (1127); St. Mary's, Dublin (1139); St. Mary's, Ross, Co. Cork (1145); Neddrum or Mahee Island (1179); the Black Abbey in the Ards (1180); Downpatrick (1183); Begerin, Co. Wexford (1183); Kilcummin, Co. Tipperary (1185); Waterford and Cork (1186); Glascarrig (1199-1200); Fore (1209); and St. Brigid's, Clonsilla (1215). It is with the last-mentioned foundation that I am now concerned; and, as its history has never before been published, it may prove of interest to piece together the notices concerning it to be found in the State Papers, the Calendars of Papal Letters, and other reliable sources. Our Irish ecclesiastical historians have completely overlooked it, and it is not even mentioned in the list of Benedictine houses by Father James P. Rushe, O.D.C., in his *Second Thebaid* (1905).

The exact date of the foundation of St. Brigid's Priory,

¹ I. E. RECORD, Fifth Series, vol. vi. p. 381, October, 1915.

Clonsilla, is 1215-1217, not long before the death of Sir Geoffrey Luttrell, who got the grant of lands in Clonsilla and Coolmine from King John. This Luttrell was a favourite of John, whom he had accompanied to Ireland, in 1210, and was knighted by that monarch in 1216. It must be noted that, like the Benedictine houses at Waterford, Wexford, and Cork, this Priory of St. Brigid at Clonsilla was but a cell, depending on the Benedictine Prior and Convent of Little Malvern, in Worcestershire. Hence, the house was managed by a Prior and a few monks, who looked after the Grange of Coolmine, and who accounted for the revenues to the mother-house in England.

One of the earliest notices of this Priory, and its dependence on the English house, is on the Patent Rolls of King Edward I, in which, under date of January 27, 1276-7, protection is formally granted for three years to this Irish branch of the monastery of Little Malvern.¹

Although it was a small priory, yet St. Brigid's was rich in lands. The priory church was completed in 1221, and was consecrated by Henry de Londres, Archbishop of Dublin (1212-1228). As is well known to students of ecclesiastical history, the old parish church of Clonsilla was at Coolmine, and this church disappeared about the year 1490. It was one of the churches in the gift of the Archbishop of Dublin, and was dedicated to St. Machutus. St. Brigid's Priory church, at Clonsilla, has also disappeared, but its site is occupied by the present Protestant church, built during the rule of Archbishop Whately.

On February 16, 1286-7, King Edward I gave power to William de Bradwell to receive for two years the attorneys of 'the Prior of Little Malvern whom he should attorn in all pleas and complaints in courts of Ireland, with power to them to make attorneys for the Prior in the King's Chancery of Ireland.'² Ten years later, on May 8, 1297, the Prior of Little Malvern paid one mark for having a writ in regard to St. Brigid's. Between the years 1302 and 1305 letters of

¹ Patent Rolls, 5 Edw. I, m. 23.

² Chancery Files, Edw. I, No. 179. Bundle A.

attorney were granted to the Prior of Little Malvern, in regard to his property in Co. Dublin, as is recorded on the Patent Rolls; and on May 8, 1307, similar letters for one year were granted to Roger, the Prior, in the names of Robert Gardiner and William Lyttleton.¹

As a proof of the value of St. Brigid's Priory, in 1307, the ecclesiastical taxation of that year records it as £32, and to be taxable at 64 shillings.² In the same taxation Lucan was only valued at £20, and Clochran at £7 2s. 2d.; Coolmine church and grange being valued at £18.

Roger, Prior of Little Malvern, got letters of attorney for two years for his Priory in Ireland, on November 29, 1307; and on July 28, 1308, he nominated Ralph Norton and Geoffrey of Malvern as his attorneys in Ireland. Similar letters were granted on April 3, 1327; and, on April 9, 1329, Hugh, Prior of Little Malvern, appointed Andrew de Wygorn and John de Dymmok his attorneys for two years.

Passing over minor entries, we come to the year 1369, when we find that the revenues of this Benedictine house had become attenuated by reason of wars and other causes, and that the Palesmen of that portion of Co. Dublin were losing their power. This notice will be found in Theiner's *Vetera Monumenta Hibernorum et Scotorum* (Rome, 1864), in a letter from Pope Urban V to the Primate of All Ireland (Most Rev. Dr. Milo Sweetman) to do what in him lay on behalf of the interests of the Prior of Little Malvern in regard to 'the Priory of St. Brigid, of Ireland, in the diocese of Dublin.' This letter is dated Rome, XVII Kalendas Aprilis (March 16), 1369, and the Pope requests the Primate to do all in his power to give satisfaction to the English Prior, concerning 'the manors and other goods of the said Priory of St. Brigid, which had not only been wasted by internecine strife, but had been usurped and

¹ Patent Rolls, 35 Edw. I, m. 14.

² In the Taxation of 1296 this foundation is given as 'the monastery of Clonsilla.'

³ *Cal. Pat. Rolls*, Edw. II, p. 91.

alienated unjustly, with the result that the Irish house was in danger of collapse.' The Pope urges Archbishop Sweetman to endeavour to have the property duly restored.

Matters drifted on during the remainder of the fourteenth century, and in 1403, Richard Brewster, O.S.B., Prior of Little Malvern, made another effort to come to the aid of St. Brigid's Priory, obtaining the right of Brother Thomas Bandy and Henry Stanihurst to look after some monastic property in Dunsink. Nine years later, in 1412 (November 28), this Prior appointed John Blakeney and John Bateman as his attorneys in Ireland. Thomas Cranley, Archbishop of Dublin, who was Lord Justice of Ireland in 1414, exerted himself in favour of this Irish Benedictine foundation, but his death, in 1417, at Faringdon, in England, proved a serious loss.

In 1419 Richard, Prior of Little Malvern, was sued for non-residence as Rector of Clonsilla—Coolmine church was then moribund—but he successfully pleaded royal licence for his absence. A few years later, on May 8, 1423, King Henry VI issued a grant, by the advice of his council, and formally confirmed the royal licence for the Benedictine Prior of St. Mary and St. Giles, Little Malvern, 'to enjoy their possessions in Ireland, any ordinance against absentees notwithstanding, provided they be charged to contribute to the defence of Ireland in like manner as other religious persons there resident.'¹

In 1423 we find Peter Ledbury, O.S.B., as Prior of St. Brigid's, and, on July 4, 1424, the Prior of Little Malvern appointed him, together with a layman, John Bateman, of Dublin, as attorneys in Ireland for three years. Subsequently, on May 15, 1427, John Estenore, O.S.B., and John Bateman the elder, were nominated attorneys, on behalf of Richard, Prior of Little Malvern, for five years.

Richard Talbot, Archbishop of Dublin (1417-1449), did what he could to help the English interest, and was occasionally a visitor at St. Brigid's, Clonsilla. His successor,

¹ *Cal. Pat. Rolls*, Henry VI, 1422-1429, p. 98.

Most Rev. Michael Tregury, had a trying time, owing to the successful endeavour of the Irish clans to recover their ancient patrimony, and, on November 16, 1451, as his see-lands were desolated by the Irish, he was permitted by the Pope 'to visit the churches of his diocese by deputy.' In 1453, the Archbishop was kidnapped by Welsh pirates, and, in 1462, the Harolds, O'Byrnes, and others of the diocese of Glendalough, took the Archbishop to ransom, for which they were duly excommunicated by Pope Pius II, on November 23, 1462. In October, 1467, John Tiptoft, Earl of Worcester, Lord Deputy of Ireland, made a successful incursion into the country of the O'Byrnes, but strife still continued in the neighbourhood of Clonsilla and Coolmine.

In 1472 Richard Porter bequeathed the sum of 3s. 4d. to the Priory of St. Brigid at Clonsilla. About the same time we find Thomas Luttrell as owner of Luttrellstown, in the parish of Clonsilla. (Thomas Luttrell was Sheriff of Co. Dublin, in 1486.) This brings us to the year 1486, when we find Thomas, Prior of St. Giles, of Little Malvern, O.S.B. (evidently growing weary of not receiving any emoluments from St. Brigid's Priory) making over the lands of the Priory to the Cistercian Abbey of St. Mary's, Dublin.

According to the terms of a deed, dated January 27, 1486, the Prior and Convent of Little Malvern, with the consent of John, Bishop of Worcester, made a grant of the following lands to St. Mary's Abbey: 'the Grange of Clonsilla; five acres of land in Clonsilla, and five acres of meadow and arable land near the Priory chapel known as the White Chapel of Clonsilla; a mill upon the river Liffey in the county of Dublin, and five carucates of land in the honour of Ballymullen, otherwise the lordship of Fertullagh, that of Milltown, and the mill in Fertullagh, as well as all their lands and tenements whatsoever in the Kingdom of Ireland.'

Three months later, namely, on April 20, 1486, Thomas, Prior of Little Malvern, in consideration of a fine of 450 marks, agreed to make over to the Abbot and monks of St. Mary's, Dublin, a further grant of the church of the

White Chapel of St. Macolth, that is, St. Brigid's Priory church, which had replaced the ancient Celtic church dedicated to St. Maclovius, or St. Malo, at Clonsilla, in the diocese of Dublin; the church of Portloman, with the chapel of Woran [Foibren] (Co. Westmeath); the church of Castlelosty, with the chapel of Ballymolán [Milltown] in Fertullach; the church of Portshannon, in the diocese of Meath; the churches of Knockrath, Mosttrim, and Rossagh, in the diocese of Ardagh.¹

We thus learn that this Priory of St. Brigid at Clonsilla had a goodly appropriation of churches and lands. The church of Portloman is near Mullingar, as is also the chapel of 'Woran' or Foyran (*Foibren*, a diminutive of *Foibur*), while the church of 'Castlelosty' is Castlelost (*Caislean loiste*), and the chapel of 'Ballymolán' is Milltown, also in Co. Westmeath. The church of 'Portshannon' is Portnashangan, near Lough Owel, Co. Westmeath, of which an interesting account is given in *Annals of Westmeath*, by the late James Woods (Dublin, 1907). Portnashangan is about four miles north-west of Mullingar, not far from Portloman, but Mr. Woods was in error in assuming that both those churches belonged to St. Mary's Abbey 'after the Anglo-Norman invasion': the true date was 1486. O'Donovan, in his *Ordnance Survey Letters*, writes: 'In the townland of Portnashangan stand the ruins of the old church of the parish, close to Loch Owel, on the east side. In conjunction with the church and parish this townland received its denomination from a feature commonly called *Port na seanghan*, "the bank of the pismires," the name of the spot on the brink of the lake on which the church was erected.'²

St. Mary's Abbey only held Clonsilla Priory and lands for fifty years, and, on July 30, 1539, the dissolved property of this famous Cistercian Abbey was begun to be leased. At this date the old Benedictine Priory lands were tenanted by Chief Justice Luttrell, who had held them since

¹ King's *Collections*, pp. 379-380.

² *Place-Names of Westmeath*, by Rev. Paul Walsh, M.A.; Dublin, 1915.

1506, and were confirmed to him, together with other monastic property. As previously stated, the Priory church had for many years previously been known as 'the White Chapel of St. Machutus of Clonsilla,' and hence it is easy to understand that ecclesiastical historians had overlooked its identity with St. Brigid's Priory. Luttrell died in 1554, a Catholic, and was buried in the Priory church, according to his own directions, 'honestly but without pomp.' By the terms of his will he ordered that the church 'should be extended sufficiently to admit of a sepulchre being made for him on the north side of the new part,' and he also left a sum of money for the repair of the chancel, as well as for rebuilding the bridge at Mulhuddart.

It is of interest to note that there is a tombstone in Clonsilla church to the memory of Richard Fitzsimons, of Clonsilla (who died on October 5, 1736, aged 77) and of his son the Most Rev. Patrick Fitzsimons, Archbishop of Dublin, who passed away on November 25, 1769, aged 74.

W. H. GRATTAN FLOOD.

HOW TO DEAL WITH THE UNMARRIED MOTHER

By 'SAGART'

THE articles of Father MacInerny, O.P., and that of Sir Joseph Glynn, which recently¹ appeared in this review, draw attention forcibly to the urgent character of the 'Unmarried Mother' problem, that is, the problem as to what is the best way of dealing with girls who 'get into trouble,' not habitually or by way of livelihood, but through weakness, credulity, or folly; the problem involves also the means of dealing with the children of such falls. One method of dealing with the problem is to do nothing at all. Help given such girls, it is said, is a premium given to vice; better leave sin to work out its consequences as a warning to others.

If the punishment of such girls consisted merely of remorse, or of public shame inducing to remorse in their own souls and to fear in their neighbour's souls, the contention that these poor girls should be left to bear the consequences of their sin would be partly justifiable. Concrete circumstances, however, of life in Ireland are such that the results of such lapses fail almost completely in the two-fold end of all judicious punishment—the sinner's conversion and the neighbour's warning.

The case that most commonly occurs (to the other cases I shall refer lower) is that of the girl whose fall is not publicly known, her friends and relatives, perhaps even her parents, being ignorant of it. Such a girl is smitten with panic fear of exposure, and under pretext of illness, operation, vacation, visiting friends, etc., runs away from her home. She may come up to Dublin from the country,

¹ I. E. RECORD, Aug., Nov., 1921; March, 1922.

or, if she be a Dublin girl, may go to a distant part of the city, or she may go across to England. In all these cases she runs extreme danger. If she has money, or can get it from her parents, she may fall into the clutches of some of those women who keep small maternity houses, with a view to making a livelihood by blackmail or by proselytism. If she has no money there are the numerous and well-known Proselytizing Homes ready to receive her; or if she be of a lower social standing there is the Union, with its degrading and corrupting influences; if she goes to England her danger is not less great. By thus fleeing away into the unknown she obtains the secrecy which she craves for, but at the cost, for herself and her child, of probable moral ruin and loss of faith. Her conversion is extremely unlikely. On the other hand, her sufferings, borne as they are in a far-off place, have little of a deterrent effect on the girls of her neighbourhood.

It is imperatively necessary, therefore, to lend a helping hand to these Catholic girls who fall more through folly than vice. How this should be done is the problem discussed by Sir Joseph Glynn and, incidentally, by Father MacInerny, in the articles above referred to.

Something is being already done. There are at least six Catholic organizations in Dublin engaged in the work. All six adopt more or less the same method. They place the girl in quiet lodgings before and after (sometimes during) her confinement. Often the girl keeps her child, but more often, when weaned, it is put out to nurse with respectable people and afterwards bestowed in an orphanage; sometimes it is adopted by its fosterers. Money is got from the girl herself, or from her parents, or (but only occasionally) from her seducer. Often no money can be thus got, or only an insufficient amount, so that much of the necessary expense has to be met by private charitable contributions.

Against this system (which for shortness' sake I shall call the 'individual system') both Sir Joseph Glynn and Father MacInerny urge certain objections (to be

considered below) and propose the establishment of Rescue Homes, though each of them differs considerably from the other as to the form of Rescue Homes which he prefers.

Now, there are many people who have had much practical experience in dealing with this matter, and have thought much about it, and who, in spite of the undoubtedly great authority of the two above-mentioned writers, urge very strong objections to the establishment of Rescue Homes of any kind or sort.

One of these objections is that the prominence of such Homes before the public eye would have a deteriorating moral effect. Their existence would be for girls still innocent a constant reminder of the frequency with which their sisters fall. Indeed, the objection urged by Father MacInerny against Sir Joseph Glynn's proposal of several small homes and workshops, placed near each other, would seem to apply in great measure against his own scheme of four small Rescue Homes, 'fairly unobtrusive' but 'not too secluded,' in Dublin, and other similar Homes in each of the Irish dioceses. The examples of the Rescue Homes in the Australian dioceses and of the Homes managed in England by the Sisters of the Sacred Hearts of Jesus and Mary are not—it may very well be urged—examples suitable for imitation in this country. Both in Australia and in England, the ideal of Christian home life and purity has ceased to have any very effective influence on public opinion. In those countries concubinage (until it is branded with legal punishment) is regarded with indifference or complacency. In Ireland as yet, thank God, moral ideals stand high and have a strong influence on the life of the nation. The prominent existence of Rescue Homes, suggesting as they would, a certain indulgent attitude towards moral lapses, would be calculated to lower the high ideals of our people, and is, therefore, to be avoided, except in the very last extremity.

Again, Rescue Homes, even the smaller ones proposed by Father MacInerny (who appears to consider as a small Home one containing a hundred inmates), bring these poor

girls into touch with each other, a thing which experience shows to be very harmful. They feel they are 'all in the same boat,' and are inevitably led to 'compare notes,' and talk of their experiences. Each will thus have borne in on her mind the impression that her case is not extraordinary, and that many other girls of seemingly unblemished reputation are no better than herself. There will be a strong tendency for the less guilty to sink to the level of the most guilty. One of the gravest objections to a place like Pelletstown is that there is no grading of cases according to age, degrees of guilt, and social station. It is hard to see how this grading is to be secured in the Homes which Father MacInerny calls for. Indeed, what he urges against a National Rescue Home applies in some measure to his own proposals.

Another important point is that though a young man sometimes has little difficulty in marrying a girl whom he knows to have been 'more sinned against than sinning,' he will have the greatest repugnance to taking for his wife a girl who has been an inmate in a Rescue Home. The public would soon come to regard such a Home as a better-class kind of Union 'single nursery ward,' or Magdalen Asylum.

Moreover, secrecy, the thing which above all else such girls are anxious to secure, would not be secured in any such kind of institution. A girl who has been in one of them will always be haunted by the dread of meeting the companions she knew there, and consequently of being exposed—especially in case she may have quarrelled with any of them. Hence, in the case of fairly good girls, whose fall is not publicly known, the Rescue Home system seems open to very grave objection.

All these objections, except the last one, apply with equal force to the case of such girls who have had the additional misfortune of being known in their neighbourhood to have fallen. For girls of a persistently light conduct, whether this be the result of mental deficiency or evil training, or some moral perversity, girls, in fact, hardly distinguishable from many of the inmates of

Magdalen Asylums, a Home such as St. Pelagia's might be advisable. One or two such institutions, however, ought to suffice for the whole country.

As I have said, many people of experience, priests and layfolk, ladies and gentlemen, even among those who are not personally engaged in any of the present Rescue organizations, are strongly in favour of the 'individual method' of treatment as against any kind of Rescue Homes; and they dissent very emphatically from the strictures made by Sir Joseph Glynn and Father MacInerny upon that method. They admit, of course, that it has not completely solved the problem, but they point to its very considerable and consoling results as justifying the hope that its development will remedy, as far as is humanly possible, the present lamentable state of things. They hold, too, that the shortcomings alleged against it by its critics are, some of them, non-existent, others of them susceptible of remedy.

It is not true, for instance, that these organizations can deal with only a small fraction of the cases which require help. The unmarried mothers treated last year (January-December, 1921) by four of these societies (of the other two I have not the statistics) numbered 90, 129, 50, and 23. These figures, it is to be noted, refer exclusively to cases where the births took place in Dublin. Their total, therefore (292), is a very considerable proportion of the 400-500, the yearly average, according to Sir Joseph Glynn, of the illegitimate births in the city.

This record will appear the more creditable to the societies when we reflect that they do their work in a very quiet way, and are consequently very little known—I venture to say that the vast majority of the clergy in the country have never heard of them—and are also very much crippled by want of money. Their funds could be increased by Local Government Board Grants¹ or by contributions from the dioceses, such as Father MacInerny suggests for the support of his Rescue Homes. Such additional money,

¹ A L.G.B. Grant is available. Only one of these societies, however (as far as I know), is in receipt of it.

besides enabling them to take on more cases, would enable them to increase their paid staffs, and thus put their work on a more permanent basis. If, in addition, they were brought into touch—quietly, of course—with people throughout the country who would be likely to co-operate with them, people such as the clergy, nuns, members of the St. Vincent de Paul Society, Catholic doctors, district nurses, social workers, etc., they would receive a much greater number of cases. Thus, too, another of their difficulties would be removed. They are scrupulously particular about the character of the foster-parents whom they employ, and in their search for suitable ones are at present practically restricted to Dublin and its suburbs. Co-operation on the part of the clergy and other sympathisers in all parts of Ireland would supply them with an abundance of reliable homes in which to place the children.

The present system, then, of individual treatment, owing to its avoidance of scandal, its adaptability to various needs, and its enlisting of the force of personal sympathy, seems to be the right method for dealing with this complicated and delicate problem. There seems also, under God, every reason to trust that, if the system were developed prudently, it would be able to catch in its net practically all the girls who now flee to Proselytizing Homes, to unsafe Maternity Homes, to far-off Unions, or to England. These poor creatures, victims of folly rather than of depravity, and easily reclaimable, would be rescued from further harm, and their children would be saved from the danger of Proselytism.¹

Again, the system of carefully supervised fosterage as it is practised by these Rescue Societies, does not work as badly as Father MacInerny states. The authorities of four of these societies (I have not been able to consult

¹ This would not, however, mean the destruction of Souperism in Ireland, as Father MacInerny seems to think. The assumption that 'Birds' Nest' children are nearly all children of 'girls in trouble' is certainly wrong. A large number of them—though it is impossible to state what proportion—are the legitimate children of drunken and worthless parents.

those of the other two), and also experienced people unconnected with any of them, are all emphatic on this point. They all give more or less the same evidence as is given in the following words from a Report (a private Report) of one of the societies :—

In 1920, when it became necessary to relieve the Society of some of its burden of monthly payments by getting eligible children into schools, no less than 17 foster-parents came forward with offers of adoption (free). In most cases the little ones had been in their charge from earliest infancy. The Committee were so satisfied with the homes, the prospects of the children looked so bright, that, with one exception, all these offers were accepted. Our boarded-out children seem to get into the very centre of the home-life, and to be the object of real sincere affection on all sides—an affection fully returned.

Sir Joseph Glynn takes his stand on the principle that a girl should be always compelled to keep and support her illegitimate child, and condemns, on that ground, the present system of individual treatment. The principle, however, is too general. Very often a girl cannot possibly be compelled to support the child of her fall. It may mean the loss of her reputation and she will often not face such a loss. If her name be saved from disgrace she will hardly ever fall again.¹ On the other hand, when her name is already tarnished, and she can be induced to keep her child with her, the individual system offers as good a, and even a far better, way of dealing with her than is offered by any system of Rescue Homes.

As regards expense, it is hard to see how the establishment of Rescue Homes would not be more costly than the present system, which is far better calculated to throw the expenses incurred by each girl on herself or on her parents. If a Government Grant or money from a general

¹ Such is the general experience in cases where circumstances render imperative the separation of mother and child, and where, consequently, according to abstract theory, the fallen girl, escaping very cheaply, should be expected to relapse. Even when the mother keeps in touch with her child experience shows that relapse is not common. The Report just quoted states further: 'Many of these girls who have got a fresh start in life have got on very well in situations, have contributed regularly to the support of their children, have married and settled down happily.'

diocesan fund were given to these private organizations, and if, at the same time, their range of activity were widened, so as to enable them to catch the girls who at present go to the Unions, this money, being expended far more economically than Union rates, would mean a considerable saving to the public purse.

The present system, therefore, of private individual treatment is altogether to be preferred to any system of Rescue Homes. It is not, of course, perfect, but it is susceptible of easy development in the ways suggested above. There are also certain proposals, quite feasible ones, which would lessen some other difficulties under which it labours.

One such proposal is that all houses used habitually for maternity purposes should be registered. A compulsory measure of this kind would destroy the trade of those women who take in 'girls in trouble' with a view to making money out of them by blackmail or Proselytism.

Also, a law more or less on the lines of the English Bastardy Law is very desirable. It would shift at least some of the penalties of immorality on to the shoulders of the more guilty partner, and would also enable the present 'individual system' of rescue to function more easily and with less cost to the general public. The English Law should, however, be improved on in various ways, for instance, by the increasing of the sustenance contributions, the appointing of collecting officers, the imposition on recalcitrant seducers of remunerative work (in some form of penitentiary) for the support of their victims, the legitimization by subsequent marriage of illegitimate children, etc.

This whole subject is of extreme importance, concerning as it does the preservation of a strict standard of moral life in the nation, and the saving from utter ruin of the faith and the morality of so many Catholic girls. As public opinion seems to be stirring on the subject would it not be desirable that priests and others interested in the matter should have an exchange of views by means of letters to

this review. The pros and cons of the various proposals for dealing with the problem would thus be well weighed, and the danger of changes for the worse instead of the better, would be avoided. In addition it would be very useful if Catholic lawyers, especially those numerous ones who have experience in this subject, were to give their views as to what would be beneficial.

‘SAGART.’

THE FUNCTIONS OF CIVIL AUTHORITY ACCORDING TO ST. THOMAS

By REV. M. GIBBONS

AT the present moment, when, after centuries of barbarous tyranny and misgovernment, Ireland has set itself to solve the tremendous problem of laying the foundations of stable government; when every man and woman in the land is striving might and main to undo the fell ravages of the usurper and reconstruct their glorious, but shattered, nation, it is of no small importance to keep well in the foreground the great, eternal, political truths enunciated by the first theologians in the Church. These doctrines have stood the test of time, and are as true to-day as when they were first penned by St. Thomas, the 'Angel of the schools.' The yoke of slavery has naturally inflicted a nasty wound on the soul of our oppressed people; and this multiplies and magnifies the difficulties that lie ahead. We have, till now, been straining every nerve to obstruct, oppose, and destroy the malignant authority, which we rightly regarded as invalid and unjust; and hence we have perforce been trained in a bad school, when the work of reconstruction and development has to be faced in earnest.¹ A rapid glance at the political theories of St. Thomas may then, in the circumstances, be not altogether out of place.

The politics of St. Thomas are theo-centric: all authority comes from God,² and it is in God, and in Him alone, that the rulers of the State must base their rights to govern,

¹ In the draft of the Constitution, which has appeared recently, we have looked in vain for the name of God, which is a very tangible proof that we have a lot to learn.

² Cf. Comment. in Rom. xiii. 1, 7; *De Regimine Principum*, l. i. c. 8.

‘Ministri enim Dei sunt’ (Rom. xiii. 6). From God, too, they must derive the dignity of their office, from the plan of Divine Providence they must take their model of government; from His eternal law they must derive their obligations and their rights. ‘Let a king therefore know, that he has undertaken his office, to be in the kingdom what the soul is in the body, and what God is in the world.’¹ Without this foundation they are building on sand; the social edifice has no other stable foundation. From this principle it naturally follows, that rulers, the ministers of God, set up by the people as the instruments of God, assume a very sacred rôle in the politics of St. Thomas. *Virtue, then, in the highest possible degree*, is the first qualification to be looked for in ruling authority. ‘Since the power granted to a king is so great, it easily degenerates into tyranny, unless he to whom this power is given be a very virtuous man . . . for it is only the very virtuous man conducts himself well in the midst of prosperity’²; and the highest virtue is that by which a man can direct, not only himself, but others also. The more numerous are those to be directed, the greater the virtue required. More virtue is necessary to rule the family than oneself, and much more still to rule a state or kingdom. Hence St. Thomas concludes: ‘It pertains to superexcellent virtue to exercise the kingly office well.’³ And he gives the reason: ‘In all arts and activities those are more praiseworthy who rule others well than they who live good lives under the direction of another. In speculative affairs it is a higher quality to teach others the truth than to be able to grasp the same truth when explained by another. The architect is more esteemed than the worker who carries out his instructions; the prudence of the leader counts for more than the bravery of the soldiers. But the ruler in the State, in regard to the virtuous acts of the citizens, is as

¹ *De Reg. Princip.*, l. i. c. 12.

² 1-2, q. 105, a. 1 ad 2. Comment. in Isaieum, 3 e. 1; St. Antoninus, vol. iv.; Donoso Cortes, *œuvres*, vol. iii. 21, p. 33; Medina, in 102, q. 96, a. 3, St. Mark x. 42, sqq.

³ *De Reg. Princip.*, l. i. c. 9.

the teacher in education, the architect in building, the leader in war.' ¹ 'He who cannot be master of himself,' says Soto, 'cannot be ruler over others.' ² For a ruler must not only command, he must be an *exemplar* also. 'It is absurd,' says St. Antoninus, ³ 'that he should lack those virtues himself, which by his orders must exist in others,' and he draws the conclusion that a ruler must induce his subjects to a virtuous life, not by command so much as *by act*.

Again, if it belongs to virtue to make men's actions good, it follows that the higher the morality of an act, the higher must be the virtue required for its execution. 'But the common good of the multitude is greater and more divine (*divinus*) than individual good, and it belongs to the office of ruler to studiously promote the common good.' ⁴ Therefore the virtues of the ruler must be of the highest order. Hence, when Aristotle ⁵ says that 'a man is not elected to rule, who merely possesses human nature, but he who is perfect,' and when St. Thomas defines a king as 'one who rules the multitude of one city, or province, and for the common good' ⁶; or again, 'that it is the duty of a king to rule his subjects well' ⁷; or again, 'we call him king who wields the highest power in human affairs,' we can understand the wealth of meaning in their words. 'To strive after the good of the multitude is a principle,' says Montagne, O.P., ⁸ 'which contains a résumé of all the political and social doctrine which the best minds of antiquity had got a glimpse of, which the Gospel has promulgated, and which the Church conserves and defends jealously in opposing it to all attempts at tyranny and oppression.' St. Thomas goes so far as to state that, provided

¹ *De Reg. Princip.*, l. i. c. 9.

² *De Justitia et Jure*, l. iv. q. 1, a. 2.

³ *Summa Theologica*, vol. iv. tit. 4, c. 4.

⁴ *De Reg. Princip.*, l. i. e. ii.; c. ii. c. q., etc.; cf. Zigliara, *Propaedeutica* p. 204; cf. 2, 2, q. 47, a. 10.

⁵ *Ethics*, V. viii.

⁶ *De Reg. Princip.*, l. i. c. 1.

⁷ *Ibid.* l. i. c. 9.

⁸ *Revue Thomiste*, Jan. 1902.

the ruler or rulers have the degree of virtue required for their exalted position, the common good is safe if the subjects have merely enough virtue to obey. 'The common good of the State cannot flourish, unless the citizens be virtuous, at least those whose business it is to govern. But it is enough for the good of the community that the other citizens be so far virtuous, that they obey the commands of their rulers'¹; and hence we can understand why he stresses the point so often 'that they who undertake the office of ruling must *vehemently* strive to act as kings, and not as tyrants towards their subjects.'²

In the next place, and more important still, he poses the fundamental principle, that the magnitude of kingly power appears especially from the fact '*that it is the similitude of divine power, since he is to his kingdom what God is to the world.*'³ 'A kingdom,' says Medina,⁴ 'consists of men, just as a body of members, . . . consequently the aim of kings should be to look after the interests of men and the common weal, and defend them, just as God, who is King of kings, rules and governs us, not for His utility but for our salvation; so should be the rule of kings.' St. Thomas was never too much an idealist to lose sight of the practical, political, and social phenomena which he saw around him. He had, in fact, one of the greatest of all Christian monarchs, St. Louis of France, always before his eyes, as a guide in the application of his principles. He never lost touch with the world of facts, in which he developed his doctrine. 'Art should follow and imitate nature,' he says,⁵ and hence it is best to form our ideas of the office of rulers from the model of the natural regime. In nature we find two regimes, the universal and the particular. The universal, in which all things are ruled by the Providence of God; the particular, which is found in man, and which is most like the divine government. 'For

¹ 1-2, q. 92, a. 1 ad 3; 2, 2, q. 49, a. 11, ad 1 and ad 2.

² *De Reg. Princip.*, l. i. c. 11.

³ *Ibid.* l. i. c. 9.

⁴ In 1-2, q. 90, a. 2.

⁵ *De Reg. Princip.*, l. i. c. 12.

just as all corporeal creatures and all spiritual forces are under the ruling Providence of God, so also the members of the body and the powers of the soul are ruled by *reason*, and thus, in a certain degree, reason is in regard to man what God is in the world.’¹ But because man is by nature a social animal, living in society, the similarity to the divine regime is found in man, not only in so far as one man is ruled by reason, but also in so far as by the reason of one man the multitude is governed ; and this pertains especially to the office of king.² This explains also why St. Thomas puts reason at the basis of all law.³ Civil authority must then be modelled on the divine, and this involves the following special virtues, which we can merely outline : Wisdom, Prudence, Love, Justice, and Mercy.

Wisdom is the fundamental virtue, both in divine and human authority, and therefore we must say, that ‘in divine wisdom are the reasons for all things, which we call ideas, and which in reality are nothing else than the divine essence.’⁴ The authoritative power of God in regard to things outside Himself is in the intentional order His Providence⁵ (which for man is Predestination⁶) and Power in its strictest sense.⁷ In the executive order this authority finds expression in divine government (*gubernatio*), with its three effects of positive and negative conservation, and premotion, both ordinary and extraordinary (e.g., miracles).⁸ Now, God acts through the intellect, not simply and absolutely, but in so far as He possesses wisdom, and hence even human authority must be guided by wisdom as its highest law, and human authority not only proceeds from God, but must also necessarily order its whole existence towards God. ‘Regnabit rex et sapiens erit et faciet judicium et justitiam in terra’ (Jerem. xxiii. 5).

Prudence : Divine Providence, in the order of design and execution, is directed and controlled chiefly by the

¹ *De Reg. Princip.*, l. i. c. 12.

² *Ibid.*

³ l. 2, q. 90, a. 1.

⁴ l. q. 44, a. 3.

⁵ l. q. 22, a. 1, 2, 3, 4.

⁶ l. q. 23.

⁷ l. q. 25.

⁸ l. q. 103 + 105.

virtue of prudence; and St. Thomas teaches that it is the virtue of princes,¹ and Leo XIII² states: 'There is a difference between the political prudence that relates to the common good and that which concerns the good of individuals. The latter is seen in the case of private persons, who obey the promptings of right reason in the direction of their conduct, while the former is the characteristic virtue of those who are set over others, and chiefly the rulers of the State.' As there are two distinct kinds of good to be attained—the private good and the common good—there must be two kinds of prudence to direct men in the task; political prudence directs the former, relative prudence the latter.³ While the Divine Wisdom designs the universal plan of Providence, prudence orders the individual in the creative design of God towards the final end—the Beatific Vision.⁴

Love for subjects must be a guiding principle in the will of the ruler. In the *Summa*⁵ St. Thomas places friendship for one's fellow-citizens as a most important species of friendship; and he lays down the principle 'that those who are the more closely connected with us, must be the most loved'⁶; and hence in those matters relating to nature, blood relations come first; in matters relating to social life, fellow-citizens have a prior claim.⁷ God loves creatures with a greater love, than they can have towards Him, and parents love their children more than the children love their parents.⁸ And the reason is, that love is based on real communication⁹; the benefactor loves the person he benefits more than the latter loves him. And therefore the ruling authority loves, or ought to love, the

¹ 2. 2, q. 47, a. 12, q. 50, a. 1 and ad 1.

² *Sapientiae Christianae*.

³ 2. 2, q. 47, a. 10, 11, 12.

⁴ Baldegger, *Kirchliche Autorität und Persönliche Freiheit in natürlichen Leben*, Olten, 1919, p. 33.

⁵ 2. 2, q. 23, a. 5.

⁶ 2. 2, q. 68, a. 2.

⁷ Ibid.; cf. 1-2, q. 27, a. 3 + I. q. 20, a. 1 ad 2.

⁸ 2. 2, q. 26, a. 9 and ad 1.

⁹ 2. 2, q. 23, a. 1, 1-2, q. 26, a. 1 + 2, 1-2, q. 27 + 28; cf. Arist., *Ethics*,

members of the society it governs, with a greater love than they can have towards it. Charity is the queen of the divine virtues, and hence it must find a place in every human authority.

Justice is the first virtue in *executive* authority.¹ In its broad outlines it has a twofold aspect—legal justice and distributive justice. *Legal justice*, which directs men towards the common good by the acts of all the virtues.² It is a virtue specifically distinct from commutative and distributive justice, and exists both in the ruler and the subjects; in the former as the directive power (*architectonice*), in the latter as the executive element. Its principal act is judgment, which determines by the application of the general law what is just in a particular case in reference to the common good,³ and this judgment is guided either by the written law, or by *equity*, which may be against the words of the written law, but in accordance with the natural law and the mind of the legislator.⁴ Of necessity, of course, it has coercive power. *Distributive justice* directs the distribution of common goods and burthens proportionately amongst the citizens in view of the common good of all, and, like legal justice, is to be found in both ruler and subjects, in their due relative measure; actively in the former and passively in the latter, in so far as they *are content* with the distribution, dispensed by the authority concerned.⁵ These two species of justice obviously require a detailed examination, but we must be content with general principles for the moment.

Mercy is the last of the great fundamental virtues, which are the regulating norms of all legitimate authority. Equity, or *epicheia*, referred to above, is an essential form of mercy, as well as being the highest justice, since it prescribes that the natural law must be followed in preference to the written law in particular cases which the legislator did not foresee or provide for.⁶ In fact, as St. Thomas

¹ 2. 2, q. 60, ad 1.

² 2. 2, q. 58, a. 5.

³ 2. 2, q. 60, a. 1.

⁴ 2. 2, q. 60, a. 5 ad 2.

⁵ 2. 2, q. 61, a. 1 ad 3.

⁶ 2. 2, q. 120, a. 1+2.

tells us¹ 'every act of divine justice presupposes mercy as its highest law and foundation.' Because to give what is due to a creature (which is justice) is impossible, unless the creature has needs or defects. But nothing is due to the creature unless on account of something pre-existing in it, or pre-ordained for it. And hence, if anything is due to the creature, it must be on account of something previous to the existence of the creature, which is nothing else than the goodness of God. Hence, in so far as God does not endow things with perfections, on account of His own utility, but solely on account of His goodness, He is liberal; but *in so far as the perfections bestowed on creatures exclude defects He is merciful*.² Thus, in every work of God His mercy shines forth; even in the damned, 'aliqua³liter allevians dum punit citra condignum.'³ 'Mercy is a virtue proper to God, and in this His omnipotence is especially manifested,'⁴ is an important principle in divine authority, and is an echo of Wisdom xii. 18; ii. 24. 'Thou hast mercy on all, because Thou art all-powerful.' 'O God, Thou who revealest Thine omnipotence most of all by sparing and pitying me,' in the prayer of the Tenth Sunday after Pentecost, sums up the Thomistic doctrine of mercy.⁵ Mercy is in exact proportion to power, the more power an authority wields, the more merciful it is, and must be. God is omnipotent, therefore all-merciful: *that is the only rule, the only measure*. Hence St. Thomas concludes: 'Amongst all virtues which refer to our neighbour, the most efficacious is mercy, for, to supply the defects of another is proper to a superior⁶; and mercy, through which we make up for the deficiencies of others, is a sacrifice most acceptable to God,' and, in fact, 'the sum total of the Christian religion, as far as external acts are concerned, consists in mercy.'⁷ Mercy is not, then, a mere optional

¹ I. q. 21, a. 3+4.

² I. q. 21, a. 4.

³ I. q. 21, a. 4 ad 1.

⁴ 2. 2, q. 31, a. 4.

⁵ Cf. Psalm. lxiv. 9-14, 35-6 sqq., lviii. 2, xxii. 6; Exodus xx. 5.

⁶ 2. 2, q. 31, a. 4.

⁷ 2. 2, q. 31, ad 1 and ad 2.

prerogative, for those in authority to employ or withhold, as the spirit moves them. St. Augustine gives a final proof¹: Mercy is compassion in our hearts for the misery of others. Now misery is opposed to happiness, and happiness is the substantial essence of the common good, which is the formal object of all government; therefore State authority must regard mercy as an essential virtue, if it is to fulfil its mission.² 'Jesus, seeing the crowds, had mercy on them' (Matt. ix. 36) should be the motto of every Christian government. The right to pardon is the highest prerogative of a king, the brightest jewel in his crown. Shakespeare³ expresses the Thomistic idea beautifully, if perhaps unconsciously:

But mercy is above this sceptred sway,
It is enthroned in the heart of kings;
It is an attribute to God Himself.
And earthly power doth then show likest God's
When mercy seasons justice.

In addition to those great fundamental virtues of divine and human authority, St. Thomas is careful to stress many others, which, though secondary, are none the less important. The Thomistic ruler is a *shepherd* for his people, seeking the common good of the multitude and not his own.⁴ It need not be emphasized that this idea is as old as Homer, and has been sanctified in the New Testament. Again, the ruler must be *magnanimous*,⁵ the most lofty trait in human character. Meekness and clemency, the handmaids of mercy, as well as truth and humility, the vitalizing principles of justice, must also find a place amongst the virtues of authority.⁶ Hence, when Aristotle tells us that a man is not elected to rule who merely possesses human nature, but only he who is perfect, and when St. Thomas enunciates the principle that a ruler should be in

¹ *De Civit. Dei*, l. ix. c. 5.

² Cf. 2. 2, q. 30, a. 1.

³ 'Merchant of Venice,' Act IV. Sc. 1.

⁴ *De Reg. Princip.*, l. i. c. 1.

⁵ *Ibid.* c. 7.

⁶ Cf. Comment. in Psal. ii. pp. 32, 44.

his kingdom as God is in the world, we can understand the serious import of their words. And the sublimity of the Thomistic idea is further emphasized by the rewards which he promises to faithful rulers. For him the ruler is the minister of God, and hence he should imitate the divine virtues more closely than private citizens, and thus his reward will be proportionately greater, especially if we take into account the difficulties of their high mission.¹ 'For many in a lower station were deemed virtuous, but when they attained the pinnacle of power they fell away from virtue.' And the ruler who carries out his mission according to the ideals set forth, 'will be transferred from his earthly kingdom to the kingdom of heaven, which is the crowning reward.'² We can then sum up the general Thomistic doctrine in his own words: 'The first duty of a ruler is obedience to God and His divine law.'³

St. Thomas is not content with enunciating the principles; he applies them also. 'Universally considered, the works of God in the world are twofold: one by which He institutes or creates the world, and the other by which He governs the world already created.'⁴ God first created the world, and then conserves and governs it, through His divine Providence. The institution of a State is a rare occurrence in political history, but to be a good ruler involves, of necessity, the qualities of a good founder. In creation, the first characteristic that is evident, above and beyond all others, is the wonderful harmony and *order* which prevails, even in the most minute details,⁵ and hence St. Thomas rightly concludes that the first duty of the State *is to establish order*.⁶ The government which cannot establish order in the community it governs is not based on the divine model, and is therefore fundamentally unsound and invalid. It is anarchy. Order is the due

¹ *De Reg. Princip.*, l. i. c. 9.

² *Ibid.* l. i. c. 7, 8, 10; Rom. xiii. l. i. 1-2, q. 21, a. 33.

³ 1-2, q. 105, a. 1 ad 2.

⁴ *De Reg. Princip.*, l. i. c. 13.

⁵ *Ibid.*

⁶ *Ibid.* c. 15.

disposition of those things that are like and unlike, giving to each its proper place.¹ And this can be done only by good government. And *to govern means for St. Thomas 'to lead effectively that which is governed to its end'*²; just as the pilot steers the ship safely to its port. Now if a thing is directed to an end outside itself (the ship to the port) it is the duty of the gubernator not only to preserve the thing intact in itself, but also to direct it effectively to its ultimate goal. The ultimate end of the State is the Beatific Vision, which is a spiritual end; and is outside the sphere of all human authority, and hence needs a special gubernator: Christ and the kingdom He established on earth, the Church.³ This ultimate end of necessity has subordinate means and subordinate ends; and as the supernatural operates through the natural, the temporal rulers have their own special goal to aim at; always in view of the final end, however. A virtuous life is the end of human society in preparation for the ultimate end, the vision of God, and hence the first duty of human authority is to govern in such a way that the subjects lead virtuous lives. This duty involves three obligations: (1) that the ruler *institute* a virtuous life amongst the citizens, (2) that he *conserves* this life when instituted, (3) that he *perfects* and develops it.⁴

I. *The first duty of governing authority is to institute virtuous life in society*, and this involves two conditions: (a) that the subjects live according to virtue ('*virtus enim est qua bene vivitur*'), (b) that there be in the community a sufficient supply of temporal goods, the use of which is necessary for an act of virtue. For a virtuous life, St. Thomas lays down the broad principles to guide rulers effectively in their task: (1) The multitude must have as the first essential principle, unity and peace⁵—*the social*

¹ In Matt. v.

² *De Reg. Princip.*, l. i. c. 14; 2. 2, q. 102, a. 2; q. 103, a. 3; I. q. 103, a. 1.

³ *Ibid.* l. i. c. 14 + 15.

⁴ *Ibid.* l. i. c. 15; 3, d. 40, q. 1, a. 2; 2, d. 9, q. 1, a. 3; Comment. in Rom. xiii. l. i; Soto, op. cit., l. i. a. 3, q. 7; Victoria de Potestate Ecclesiae, q. 1, n. 4.

⁵ Cf. 1 Timothy ii. 1-2; quodlibeta ii. 24.

policy; (2) the multitude so united in the bond of peace must be directed to live well¹—*the legislative policy*—as St. Thomas explains: ‘Just as an individual can do nothing, unless all his parts and energies are unified, so a multitude of men, devoid of the unity of peace, are impeded from acting rightly,’ and wise laws are the only effective means of attaining this end²; (3) through the care and industry of the rulers, the community must have a sufficient supply of worldly goods, which are essential for a virtuous life—the *economic policy*.

II. The government must *conserve* this good life,³ which it has instituted in the society, positively by the exercise of the virtues already mentioned, and negatively by removing the obstacles that threaten the existence of the society to be conserved. These obstacles arise from several sources: (a) *From nature itself*, since men are mortal, and cannot therefore live always, nor can they even remain in the same vigour all their lives, and thus their efficiency varies at different stages. The good of society, however, must be conserved, not only for the time being, but it must be made as permanent as possible. (b) The second obstacle comes from *society itself*, from the perverse wills of men, which may be detrimental to the peace and unity of the community, by violating laws, etc. The third obstacle comes *from outside*, such as attacks by enemies, which disrupt or destroy the society. Against all these obstacles and dangers, the ruler must make provision, if he is to do his duty, and hence a three-fold duty devolves on him under this head: (a) By applying the principles of *distributive justice*, he must fill the places of those who fall by the wayside; he must distribute the goods and burthens amongst the members of the community in due proportion, in view of the common good. (b) The *administrative policy*.—By laws and precepts, he must restrain his subjects from evil, and lead them to virtue, following the

¹ Medina, in 1-2, q. 105, a. 1.

² Cajetan, *De Summi Pontificis Auctoritate*, Venetiis, 1562. ‘Pax et unitas subditorum est finis regentis.’

³ 1-2, q. 104, a. 1; *De Reg. Princip.*, l. i. c. 15.

example of the divine law. This naturally includes compelling penal laws, which are necessary for the internal peace of society. The penal laws have, however, important limitations. (a) Crimes of conscience cannot be punished, as these come directly under the divine regime, and hence only external acts can be punished by human civil laws. (β) Not all crimes can be punished, only those that constitute offences against public order, those injurious to peace and the common good.¹ (γ) Punishments must have, as far as possible, the amendment of the offender in view. Finally, the ruler must protect the community from outside enemies. Security from enemies and peace with other nations is the ideal foreign policy—too ideal to be realized.

III. The ruler must not only institute and preserve virtuous life in the community he governs, he must also *promote and develop* it ('ut conservatam ad meliora promoveat'²). This is the *progressive policy* which plays such an important rôle in Thomistic state-craft. It corresponds to premotion in divine authority. God gives the *first impulse* to all created activities, not only in the case of beings without reason, but also, and more especially, in rational beings endowed with free-will. And this divine premotion, which gives the first impulse to all our acts, not only does not destroy liberty, but is an essential condition of it.⁴ This premotion is at the basis of all authority, and is contrary to the false Liberalism, which holds that the State can only interfere when individual 'initiative' fails. For St. Thomas initial interference is not only a right of the State, it is a very important duty, involving a three-fold obligation: 'If anything is out of due order, to correct it; if anything is wanting, to supply it; if anything can be improved, to perfect it.'⁵

Such, in their most meagre outline, are the fundamental

¹ 1-2, q. 90, a. 2; 1-2, 96, a. 3 and ad 2.

² 2-2, q. 40, a. 1; 1-2, q. 95, a. 4.

³ *De Reg. Princip.*, l. i. c. 15.

⁴ Cf. Baldegger, op. cit., p. 49 ff.

⁵ *De Reg. Princip.*, l. i. c. 15; cf. *Pauperisme et Bienfaisance*: Émile Savoy, Fribourg, 1922, p. 47 ff.

principles on which St. Thomas bases the functions of every lawful State authority. It will be seen at a glance that though he did not trace his principles to their minutest practical details, as Suarez and Cardinal Bellarmine did, later on, nevertheless, he formulated the basic principles of a complete and perfect political system, which, since his time, has been the only source from which Catholic theologians have drawn their inspiration and their doctrine. These general principles are reduced to act, in the ruler, through the virtue of justice, especially legal justice, and its application, distributive justice; and hence each of these claim a closer and more detailed examination than space allows us to give here.

M. GIBBONS.

MEDICAL ETHICS

BY REV. DAVID BARRY

ONE of the warnings given by those who support the system of Probabilism is, that it is not intended for the guidance of doctors in their professional capacity. They are careful to insist that the safer or safest course, that is, the one most likely to be beneficial to the patient, must, in so far as it is possible, be invariably adopted. And questions of medical treatment are in this respect classed by the moralists with those concerning the administration of the Sacraments, the observance of ordinances indispensably necessary¹ to salvation, and the inviolability of the *certain* rights of another.

Whether the exclusion of these important departments of morals from the domain of Probabilism is evidence that there are serious exceptions to its operation, considerably lessening its value, as the opponents of the theory hold, or whether these are cases even *prima facie* outside its scope, as its supporters maintain, is not easy to determine. But in favour of the latter view, I may remark that the patient contracts with his doctor that he would not content himself with prescribing what is but second best, if he has surer remedies at his disposal. This understanding is so much a matter of course that it is nearly always implied rather than expressed in words. Nor is its validity in any way prejudiced by the circumstances that it is often difficult to say what additional steps or trouble a medical man is bound to take, in order to give his patient the advantage of the better and more probably efficacious treatment. For at all events, nobody would engage the services of one that

¹ That is, in technical language, those necessary *necessitate medii*. Cf. Noldin, *de Principiis*, n. 234 (9th ed.).

would designedly and voluntarily be satisfied with a medicine or operation of merely probable utility, and neglect another more likely to yield good results and be suitable in the case.

And indeed I am confident that the accusations are groundless, which are sometimes formulated or insinuated, to the effect that, in the case of non-paying patients, the more ambitious and less scrupulous members of the profession use, for the purpose of experiment and in the interests of science, hitherto untried remedies, instead of those which have stood the test of experience. Although considering how the bodies of the poor and friendless—but lately the best beloved temples of the Holy Ghost—are or were occasionally subjected to wanton desecration, for anatomical purposes, it would be too much to assume that there is no foundation at all for these complaints

A case of uncertainty, whose solution is keenly disputed by the theologians, raises the question whether a medical man can employ a remedy which may either save or injure the patient, *if he has nothing better to do*. Some maintain that he cannot, as this would be to run the risk of accelerating death unwarrantably. But another opinion, which St. Alphonsus¹ considers equally or more probable, is to the effect that it is permissible to use such a possible remedy, especially if the sick person gives explicit consent, inasmuch as he is thereby given a chance of recovery. Personally, I believe the decision depends on which probability—that the treatment would be a help or a hindrance—is the weightier. All are in agreement that, except in circumstances of extremity, such questionable means must not be adopted and the unaided powers of nature must rather be relied on.²

However this may be, if a practitioner finds himself at a loss as to the cure for some complaint, and still more if he is not sure of his diagnosis, it is his bounden duty to

¹ *Theologia Moralis*, lib. i. n. 46.

² Noldin, *de Præceptis*, n. 733 (5th ed.); Tanqueray, ii. n. 1020.

explain his perplexity to the patient or his friends, and facilitate them in getting the advice of a consultant.

The obligations of doctors, defined thus early in the conscience treatises, are consistently kept in view in various parts of moral theology; the medical profession, unlike some others, thereby getting an amount of attention commensurate with the high and arduous responsibilities it entails. And we meet some of these again in dealing with the Fifth Commandment, in connexion with the subjects of craniotomy and abortion. Now, the conflicting views held for a brief period¹ as to the lawfulness of these operations have been authoritatively and explicitly settled for Catholics by several pronouncements of the Holy See, notably those of May 31, 1884, and July 24, 1895, condemning them. So that not only is craniotomy on a living child, to save the mother, or embryotomy, in any form, unlawful as being directly and immediately feticide; but also the direct procuring of abortion, that is, expulsion of the child before it is of viable age, which is, generally speaking, at the end of the seventh month after conception. And the circumstance that the mother's life may be thereby saved—an excuse in the English law,—or the baptism of the infant be put beyond the region of doubt, does not justify the performance of these operations.

Though, of course, the obstetrician may, for a sufficient reason, e.g., in order to save the mother, permit or cause abortion *indirectly*, that is to say, where it is not his intention to bring it about at all, but it occurs as an unwelcome though foreseen consequence of some other operation. This is allowable at least if the hope of baptism for the child is not thereby lessened; but if the prospect of being able to administer it be very remote, even indirect abortion is unlawful.²

Unless, then, it is certain that the child is already dead, all operations whose tendency is directly and immediately

¹ Lehmkuhl, *Theologia Moralis*, i. nn. 1001 and 1007 (11th ed.); Eschbach *Disp. Physiologico-Theologicae*, p. 389 (2nd ed.).

² Lehmkuhl, *Casus*, i. n. 523 (2nd ed.).

lethal, are proscribed by Catholic ethics. And the view of St. Thomas,¹ at one time widely supported, that the rational soul is not infused for some time² after conception cannot be utilized in this connexion; though an opinion referred to by St. Alphonsus,³ and at one time influentially supported, justified even direct abortion at the early period of gestation in question, if the mother were in extreme danger. This view was based, in the first place, on the crude argument that such an immature fetus had no independent existence; and in the second place, it was contended, somewhat inconsistently, that in the case supposed it was an aggressor.

Now, in the vast majority of cases the reason why the operations mentioned are condemned is perfectly plain and convincing. For the fetus is a human being, or at least on the way to become one, and has the corresponding rights of immunity from attack, no matter whose interests this may be intended to serve. But in certain extreme instances, apart from the authority of the Church, the theoretical justification for the complete inviolability of its life is not quite clear. Thus, if the supposition be made that the difficulty of parturition is due, not to any defect on the part of the mother, but to some abnormality on the child's, this would appear, at first sight, to put it in the same category as aggressors that are merely objectively or materially unjust, e.g., the insane. And a person who may be attacked by these, no matter how blameless they are, is entitled to kill them, if this were necessary to save his life. However, I believe that in the generality of cases the trouble the accoucher has is due to some malformation of the mother, not of her child. Moreover, one has this argument to fall back on, that she, in undertaking the obligations of motherhood, bound herself to undergo not merely the ordinary pains and dangers of confinement,

¹ In III Sent. dist. 3, qu. 5, art. 2, corp.

² About forty days in the case of males, and eighty or ninety in that of females.

³ Op. cit., lib. iii. n. 394; cf. Eschbach, op. cit., n. 426.

but also whatever additional trials God might be pleased to send. So it follows that the child has always the benefit of this undertaking; nor can his position in any circumstances be looked on as akin to that of an unjust aggressor. Though this line of reasoning would not, as is obvious, apply in cases where the offence of rape has been committed.

Some of the arguments advanced on behalf of the mother's preponderating right could never get lodgment in the mind of a good Catholic—such as this, that the child's life, being less important to the community or the family than her's, should, if necessary, be sacrificed to it. But one reason that used to be urged in favour of these operations is calculated to make an appeal to untutored common sense, as distinct from trained intelligence. It is that whether or not the operation takes place the child is nearly sure to die, and at practically speaking, or morally speaking, the same time; whereas with the operation the mother has a good chance of being spared. Now while this, or indeed any other argument put forward to sanction the operations in question, is merely plausible and nothing more than fallacious, still people in a difficulty may be pardoned for seeing more in it than there really is. Besides, the existence of extreme cases that I have referred to, and above all a state of theological doubt at one time, show that mothers and their medical advisers may easily be in perfectly good faith, and may not regard embryotomy or abortion as murder, when it offers the only avenue of escape from certain death. So, if there is little likelihood that he will be obeyed, a priest should not attempt to disturb their conviction.

This caution is the more necessary as the alternative operations that are legitimate (if the child is viable), such as the Caesarean section and symphysectomy, are, in the opinion of some, not only dangerous but likely to arouse intense repugnance. The one called after Dr. Porro requires special justification, because of its permanently incapacitating effect on the mother. Although the theologians are not quite unanimous on the point, a woman is under no

strict obligation to undergo any of these operations, not even in the hope that her child will be saved, or certainly baptized.¹ Because, even though it be allowed that no attempt can be made to baptize it in the womb, there is no assured hope that it can be extracted alive. Nor, seeing that such authorities as Eschbach² and Noldin³ differ on the general subject of the seriousness and danger, e.g., of the Caesarean section, is the mother's director in a position to say whether, in her particular circumstances, it is calculated to be so trying as to be beyond the range of ordinary precautions she is bound to take, whether in her own or her child's interests.

Of all the resources for these difficult cases⁴ at the disposal of medical men, to induce premature labour seems to be, in cases where it is applicable, the most satisfactory from the point of view of the mother. Though as the mortality of children that are born when barely of viable age is very high, it has its own drawbacks to counterbalance its advantages.

As for cases where it is not certain whether a woman is pregnant or suffering from a tumour, if it be possible to wait, nothing must be done till the truth can be ascertained. But if urgent treatment be called for, some theologians at least allow⁵ the doctor to act as if his diagnosis of tumour were certain, on the ground that the certain right of the mother rather than the doubtful right of the fetus is entitled to consideration.⁶

Another department of ethics is concerned with the

¹ Noldin, op. cit., n. 336 (towards end).

² Op. cit., pp. 345 sqq.

³ Ibid., loc. cit.

⁴ The subject of Twilight Sleep as an aid in diminishing the pains of labour was exhaustively discussed by Dr. O'Donnell in the I. E. RECORD for May, 1919 (pp. 409 sqq.), and the conclusions were reached: (a) 'that there is nothing intrinsically evil in the method'; and (b) 'that, without fair skill and attention, the ill effects may easily outweigh the good in any given case—and so render the operation unlawful.'

⁵ This has to be qualified by the consideration that, in the early months of gestation, *certainly* that conception has taken place can never be looked for.—Ferrerres, i. n. 501.

⁶ Cf. Génicot apud Noldin, op. cit., n. 333.

doctor's duty of giving baptism, of which he is, in a sense, the ordinary minister in certain circumstances. For if a child after birth is so weak as to be in real danger of death, there is no reason why a Catholic doctor may not administer the sacrament to it, even if it be fairly certain that death will not supervene until a priest arrives. And of course if this were doubtful, an obligation and a grave one to give it would arise at once. While this duty, exclusively or conjointly with a nurse, devolves on the doctor, if there is danger that the child will not be born alive, that is if baptism were possible, which, for obvious reasons, it would not be, until after the sixth month.¹ And as, compared with a nurse, I should say that his obligation is primary. Because, according to the Ritual, in case of necessity, the sacrament is to be administered preferably by men, unless considerations of propriety stand in the way, as manifestly they do not if there be question of an obstetrician.

So medical men ought to be instructed by the clergy—though I dare say most of them know it already—that if it is likely that the child will not be born alive baptism must be conferred conditionally—the water being made to flow on the head, or failing this, on some part of the body. And that it should be re-administered, conditionally again, on the head, in the event of a successful delivery. However, ‘*Si infans caput emisit et periculum mortis immineat, baptizetur in capite; nec postea si vivus evaserit est iterum sub conditione baptizandus.*’² As far as the clergy themselves are concerned, it may not be out of place to remind them that, when they are deliberating as to the repetition of a ceremony performed by a doctor, they ought to make a point of ascertaining whether or not the child was born when this took place.

Another important obligation of a medical man is, when he sees that a person is in serious danger, to give due notice of the fact. This is necessary above all, and perhaps

¹ Eschbach, *op. cit.*, p. 329.

² Code, Can. 746, § 2. Cf. Ritual, tit. II, cap. 1, n. 16.

exclusively, if he knows that his patient has not received, or made up his mind to receive, the Last Sacraments; and also if he has temporal concerns that have to be arranged by will or otherwise. The duty, of course, increases in urgency, if the person's death is not only probable, but is imminent. The regulation of the Fourth Council of Lateran (1215) under Innocent III, forbidding a practitioner to undertake the case of a person seriously ill who had not been to confession; and the Constitution of Pius V, *Supra Gregem* (1566), allowing the patient three days' grace, have long since fallen into complete desuetude. But the spirit they embodied is still quick and operative in the Catholic members of the medical profession—a reason which, with the cognate one connected with the administration of baptism, ought to make our people more willing than they are to give a preference to practitioners of their own faith.

It is not, of course, necessary for a doctor to give warning of his critical condition directly to the sick person. It will ordinarily be quite enough to communicate the facts to a responsible and reliable member of the household. And, in fact, it would be often imprudent, if it could be avoided, to let the patient see that his attendant has doubts about his recovery. Because, sometimes, however unreasonably, this causes the sick person to take a dislike to him and a distaste for his services and remedies.

As far as arranging the temporal concerns of his client is concerned, a medical man ought to be almost as cautious as a priest in making their wills, and as chary of having any responsibility in regard to these. Although unlike, or more than, the priest, it may be his duty afterwards to give evidence in the courts as to a person's testamentary capacity.

I come now to say something concerning the moral issues involved in what is perhaps the most important and delicate of a doctor's duties—deciding as to whether a serious operation is or is not to be performed, though indeed it is only such rules as are too general and indefinite to be very helpful that can be laid down with any

certainty in this matter. Now the most obvious of these is that there must be some proportion or correspondence between, on the one hand, the malady the patient is suffering from, and on the other, the severity of the operation and the chance that it will be a success. So that if, for instance, a person had a disease that would terminate fatally in a short time, the mere possibility of a perilous and trying operation bringing him a considerable respite would justify the performance of it. Thus there is a likelihood that an operation to remove cancer in certain circumstances, if it does not eradicate the disease, may at least prolong the person's life and save him from a very painful death.

As regards the duty of the doctor to insist on an operation that he knows will probably be successful, and the correlative duty of the patient to obey him, though no doubt the traditional Catholic principles are at present as valid as they were at any time, still, owing to the advances made in medical science and art, the practical conclusions now to be drawn from them cannot be invariably what they were. Thus, Gury,¹ following St. Alphonsus,² says that one is not bound, in order to save one's life, to have a leg or an arm amputated or to permit an incision for the removal of a calculus. Whereas at present the resources of surgery have so reduced the pain and danger of collapse in such cases, that they are negligible when there is question of the preservation of life.

But in this connexion it is well to note that the distrust of the use of anæsthetics found in some medical manuals written for the information of the clergy, is not altogether pure prejudice and a relic of the days that are gone. There is, for instance, a real danger, owing to the too frequent administration of cocaine and morphine to a person, that he would become addicted to them with deplorable results. Although doubtless the dislike to the employment of such drugs is sometimes based on a misunderstanding of the

¹ *Theologia Moralis*, i. n. 391.

² *Op. cit.*, lib. iii. n. 372.

duty we owe to God and to ourselves not to forfeit by artificial means the use of our reason.

Apropos of this, Lehmkuhl¹ holds that it is not lawful for a doctor, by giving intoxicating drink or otherwise, to make a person on the point of death insensible to pain. The reason he gives is that this would be to deprive him of the opportunity of preparing for death, and of acquiring merit when the need of it is specially urgent. However, if the patient has made his peace with God, and there is danger that he would fall into mortal sin, e.g., by opposition to the Divine Will, if he retains his senses, the priest may not indeed give positive permission to have him deprived of them, but if he sees a doctor doing so, he may pass the matter over in silence. But this concession of Lehmkuhl seems of little value; for how is the priest to know whether or not there is serious danger of mortal sin in the case? He may easily see that there is a likelihood of a venial sin of impatience; but what data has he to enable him to decide when this is so aggravated and so deliberate that it will probably develop into rebellion against God, and so into mortal sin?

Returning to the subject of operations, I may say that nothing but the enlightened conscience of the surgeon, working in the light of Christian faith and charity, can be a guarantee to a patient that he will not be subjected to one that is needless or hopeless. For there is usually no temporal sanction to check an unscrupulous practitioner, inasmuch as he is just as likely to be immune from censure and criticism if he was not justified in operating at all, as if he were, but was unsuccessful through some unforeseen cause.²

The obligation of a medical attendant not to pay useless visits, and charge for them, is too patent to need dwelling

¹ *Theologia Moralís*, i. n. 893.

² The generality of theologians do not sanction the use of hypnotism at all. But some allow it for the purpose of effecting a cure, and others even for the advancement of knowledge; it being understood, of course, that proper precautions are taken against abuses. Cf. Noldin, *op. cit.*, n. 738; Lehmkuhl, *op. cit.*, n. 502.

on or development. So I will only remark that occasionally, even when his professional skill can do nothing towards effecting a cure or alleviating pain, the patient or his friends like the doctor to continue visiting regularly, and are very disappointed if he ceases to do so. His coming may be a comfort to them, as showing that all hope is not abandoned, or as an evidence to the neighbours and all whom it may concern that everything possible is being done for the patient. And naturally in such circumstances, after he has told them that his professional resources are exhausted, he is entirely within his right in charging a fee for any visits they may desire.

Regarding fees, many people, on the score of their poverty, or for some similar reason, expect that medical men should make an abatement, though they never think of putting the same argument to the baker and the grocer, to induce them to forego any of their regular charges. This is, at first sight, anomalous, and it is surprising that doctors, when such pleas are advanced, do not see an attempt to victimize them or take advantage of their good nature oftener than they do. However, the reason why the rules of charity have a special application in the case of remuneration for medical services, is that the special competence of a certain practitioner may be in a manner necessary to save the life of one who is poor, or has only moderate means; whereas a similar urgency would not arise if there were question, e.g., of a shopkeeper. But indeed if a person suffering from some ordinary ailment, that any doctor would be able to deal with, designedly bespeaks the aid of one of a class—e.g., those residing in Merrion Square—whose fees are above the average, there is no reason why he should not be made pay something—though not an unconscionable figure—for the luxury of fashionable treatment. Just as he may be charged a trifle for the honour of shopping in Grafton Street.

The existence of cases of necessity or emergency would, I think, sometimes seem to require, not only a lowering of the fees, but also that certain prescriptions in the code

of medical etiquette should be relaxed or not enforced with the cast-iron rigour of trade union rules.

The last duty of medical men I shall discuss is that of keeping their professional secrets closely guarded. The only safe principle for them to act on is never to give the information to outsiders—especially if they are merely curious—that they are attending a particular person, or, if this cannot be concealed, that his illness is serious. This rule to avoid gossip is one that the priest, too, would do well to lay to heart. It is true that sick people or their friends often have no objection that their ailments should become public, but they may, nevertheless, resent it, if one in a confidential relation imparted the information. Especially if the disease be in any way the result of sin or folly, or if, as in the case of consumption, for example, its existence be detrimental to the family, allowing any word of it to leak out would normally be a gross breach of confidence. But if the observance of secrecy were likely to be injurious to others, the doctor, in default of the friends of the sick person doing so, could and should give those concerned timely warning. Thus, if a case of fever occurs, it specially devolves on the doctor, owing to his knowledge of the facts, to see that the community is protected, by discouraging people from needlessly visiting the house, or forbidding the local creamery to receive milk from it. Similarly if, in the course of his professional duties, he becomes aware that a certain man ought not to contract a contemplated marriage, he may, though only as a last resort, give this information to the prospective partner.

This is in accordance with the teaching of most moralists who, dealing with *secretum commissum*—that is, a secret where non-disclosure is a condition of its being given,—hold that it can, nevertheless, be revealed, provided the interests of the person to whom it was entrusted, those of anyone else, or of the public generally, were seriously compromised by its being kept.¹ English law does not respect or give any privilege to the secrets of a doctor, or

¹ Lehmkuhl, op. cit., n. 1443.

indeed of any professional man, except those between solicitors or counsel and their clients. However, so far as the clergy are concerned, it is laid down in an authoritative work on 'The Ecclesiastical Law of the Church of England,' that, 'It seems to me at least not improbable that, when this question is again raised in an English court of justice, that court will decide it in favour of the inviolability of the Confession, and expound the law so as to make it in harmony with that of almost every other Christian State.'¹

Whether there is any similar development in favour of protecting the confidential knowledge of a medical man from the prying eye of the law, I cannot say. But at all events, the punishment that might be meted out to him, if he did not consent to divulge the secrets of his client, would be very light. And it would contribute so much to public edification and public confidence in his profession, that a man proud of its traditions should not hesitate a moment in refusing to betray the confidence reposed in him.

I need say nothing by way of explanation or emphasis of the duty imposed on the doctor of not being content with the knowledge he had when he left college, and by which he got his degree or licence. For it is clear that he should constantly endeavour to keep pace with the advancement of medical science and art, so far as his opportunities permit.

DAVID BARRY.

¹ *Catholic Encyclopedia*, xiii. p. 659.

THE AUTHORSHIP OF THE RINUCCINI MEMOIRS

BY REV. FATHER STANISLAUS, O.S.F.C.

THE work quoted by Carte¹ under the name of the *Nuncio's Memoirs* treats of one of the most interesting and eventful periods of our country's history. The full title of this monumental work indicates its purpose and scope: *De haeresis Anglicanae in Iberniam intrusione et progressu, et de Bello Catholico ad annum 1641 caepto, exindeque per aliquot annos gesto, Commentarius*. It is written entirely in Latin. In the concluding pages of the narrative we are informed that it was begun in Florence in 1661, and finished there in 1666. The original manuscript of the work, comprising six folio volumes, has always remained in the possession of the Rinuccini family, for whom it was compiled, and forms to-day one of the principal treasures of the Trivulzian Library in Milan.

While travelling in Italy, Thomas Coke (1695-1759), afterwards Earl of Leicester, succeeded in procuring a copy of this historical work for his library in Holkham, and it is through this transcript that Irish and English writers have become acquainted with the contents of the *Memoirs*. Thomas Carte made liberal use of the Earl of Leicester's copy for his *Life of James Duke of Ormonde*, published in 1736. He gives in his preface to that work (p. v.) the following critical account of the *Memoirs*:—

There is still another account of these affairs (i.e., of Ireland during the rising of 1641) which I have frequent occasion to quote by the name of the *Nuncio's Memoirs*. . . . It was wrote after the Nuncio's death by an Irish Roman Catholic priest, whom Thomas Baptist Rinuccini, great Chamberlain to the Grand Duke of Tuscany, employed to digest his brother's papers and reduce them into the form of a narration. The

¹ *Life of James Duke of Ormonde*; London 1736.

compiler was a very rigid man in his principles with regard to the immunities of the clergy, the Papal power, and the lawfulness of rebellion for the sake of religion; and appears infinitely zealous for the Nuncio's honour. But notwithstanding his prepossession in these respects, he appears always to have a great regard to truth, and to be very fair and candid in his relation of occurrences. These he generally takes out of the letters and accounts sent to the Nuncio, as events happened, by those concerned in them, and there are no more of these relations than are absolutely necessary to connect the several letters of the Nuncio to the Court of Rome and the many papers and memorials which passed in the disputes between that minister and the Supreme Council (of the Irish Confederation): which he translates faithfully into Latin, on which account this collection seems the more curious.

Thomas Birch, in his *Enquiry* (published in London, 1747), challenged the veracity of some statements made by Carte relative to the transactions of the King and the Earl of Glanmorgan with the Nuncio and the Irish Confederates. His work contains many extracts from the *Memoirs*, and he acknowledged¹ his indebtedness to the Earl of Leicester's copy for many important historical facts.

Again, in the first and only volume of his *History of the Rebellion and Civil War in Ireland*, published in 1767, Rev. Ferdinando Warner, a Protestant divine, refers to the importance of this work. 'These *Memoirs*,' he writes, 'bring to light so many secret affairs of the Catholics in that period that it is impossible for any history of the Irish Rebellion to be complete without the assistance of this manuscript.' De Burgo, when preparing the Supplement to his great work *Hibernia Dominicana*,² visited Florence in 1770, and consulted the original MS. of the *Memoirs*. From it he procured many historical facts which he embodied in the Supplement, but his examination of the work does not seem to have been very thorough.

Besides the above-mentioned historians, few, if any, have utilized the *Memoirs* in treating of the disturbed state of Ireland and Great Britain in the time of Charles I and Cromwell. This is no doubt due to the fact that the work, being in manuscript, was practically inaccessible,

¹ Preface, p. iv.

² *Hibernia Dominicana*, Supplementum, f. 900.

there being until recently, besides the original, only one copy available, viz., that in the library of the Earl of Leicester.

The title-page of this remarkable work bears no name, and various conjectures, some of them obviously erroneous, have been made as to its authorship. If any tradition regarding the writer existed in the Rinuccini family in Florence, it was but short-lived, for De Burgo¹ mentions that he was informed by the curator of the Rinuccini library that the work was written, not by the Nuncio, but by Massari, Dean of Fermo. This statement, as we shall see later, was incorrect, but it shows that in little more than one hundred years the name of the writer of the *Memoirs* had been completely forgotten. Bellesheim, in his *History of the Catholic Church in Ireland*, repeats the statement of De Burgo, attributing the work to Dean Massari. The anonymous translator of Massari's *My Irish Campaign* in the *Catholic Bulletin* states that 'the *Memoirs* were written by Mgr. Massari or prepared under his direction.'² At the present time the credit for the compilation of the work is generally given to Father Richard O'Ferrall, O.S.F.C., the friend of the Nuncio, and his defender at the Roman Court. Aiazza, in his preface to the *Nunziatura in Irlanda*,³ states that the work is incorrectly attributed to Rinuccini, and that some consider it to be the work of Thomas Coke, the learned editor of Dempster's *Etruria Regale*. However, he adds, 'the character of the handwriting of the Commentary is assuredly not Italian, and suggests the probability of its being the work of some learned Irish religious.' Cardinal Moran, who possessed a transcript of the *Memoirs*, and reproduced therefrom many interesting passages in the *Spicilegium Ossoriense*, states, in the *Persecution of the Irish Catholics*,⁴ that the writer of the work (which he styles *the Rinuccini MS.*) was

¹ Ibid. f. 900.

² *Catholic Bulletin*, vol. vi. p. 28, note.

³ Published in Florence in 1844; Preface, p. vii.

⁴ Part I. cap. vi. n. 12.

an Irish Capuchin, but he does not mention his name. These are the principal suggestions that have been made as to the authorship of the *Memoirs*. From the studied suppression of his name throughout the work it is evident that the writer, in his humility, desired to remain unknown. His wish has been respected for more than two centuries and a half. However, now that this monumental work is becoming more widely known, it is desirable that the identity of the 'learned Irish religious,' to whom Ireland is so much indebted, should be ascertained, and that the honour from which he shrank in life should, in justice to his memory, be accorded to him. This is the purpose of these pages, but before entering on the discussion it is necessary to sketch briefly the history of the *Memoirs*, as told by the writer himself.

From the time of his appointment as Papal Nuncio to Ireland, Rinuccini carefully preserved all the documents that had reached him from various sources, the letters and memorials sent to him and his replies, his own reports to the Holy See, and, in fact, everything that had reference to his mission. During his stay in Ireland and afterwards his opponents did their utmost to misrepresent his views and conduct, to frustrate his efforts, and asperse his character. In order to vindicate his conduct and expose the malice of the Ormondists, the Nuncio, on his return from Rome to his archdiocese of Fermo, deemed it his duty to write an authentic account of his Nunciature in Ireland. His first step was to summon to his assistance his friend and agent at Rome, Father Richard O'Ferrall, O.S.F.C., to whom he wrote on December 5, 1650, requesting him to come to Fermo, to assist him in the compilation of the work.¹ The zealous friar at once notified his willingness to do so, and the Archbishop expressed his gratitude in a letter dated January 19, 1651, but requested him to delay his departure until he would send him a list of books

¹ *Memoirs*, vi. f. 3933a. The references in this article are to the copy of the *Memoirs* in the Capuchin Archives, Church Street, Dublin. This copy comprises seven volumes, and contains 4780 pages.

and documents which he desired Father Richard to bring with him from Rome. This he did in his third letter, of May 8, 1651. Father Richard was unable then, through illness, to leave Rome, but on his recovery some months later he journeyed to Fermo. The Archbishop's health had been failing ever since his return from Rome. So serious was his condition when the good friar arrived that the undertaking had to be postponed, and Father Richard was obliged to return to Rome. The Archbishop, on his recovery, feeling himself unfitted for intellectual effort, abandoned his literary project, and prepared himself for his approaching end. His malady developed into apoplexy, of which he died on December 15, 1653.¹

For several years afterwards the critical condition of Irish affairs required the continual presence of Father Richard in Rome, and absorbed all his energies. He had gone there from Galway in 1648, in obedience to the Nuncio's command, to defend the cause of the latter at the Papal Court. His ability was at once recognized, and he was appointed Consultor both to the Congregation of Irish Affairs and also to that of Propaganda.² During his stay in Rome, repeated efforts were made by the Ormondist agents to induce his superiors to remove him. On each occasion, however, the Sovereign Pontiff and the Cardinals, by whom he was held in the highest esteem, intervened. They insisted that Father Richard should remain in Rome as long as he himself considered that the affairs of Ireland required his presence at the Roman Court.

Meanwhile, the compilation of the history of the Nunciature, so much desired by Rinuccini, though Providence did not permit him to accomplish it, was to Father Richard a sacred trust, to be discharged at the earliest opportunity, in vindication of the character and conduct of his departed friend. For ten years the gifted friar had loyally championed his country's cause at the court of Rome, and foiled the efforts of English intriguers. The testimonies of several Cardinals, which are recorded in the *Memoirs*, show

¹ *Memoirs*, vii. ff. 4348-4350.

² *Ibid.* vii. f. 4766.

how greatly he was esteemed in Rome, and how efficiently he discharged the duties of his office. But, in his zeal for the cause of Ireland and the welfare of religion there, he had overtaxed his energies and his health had become impaired. The intricacies of Roman procedure had, besides, become irksome to him. He grew weary of the tedious trifling in the treatment of Irish and Roman affairs, and he longed for a quieter and more congenial sphere of action. The opportunity presented itself in 1659. The Dean of Fermo, Massari, who had accompanied the Nuncio to Ireland as his auditor, decided to write in Italian a history of the Irish War. He was hampered, however, by his ignorance of the English language, and he begged Father Richard to assist him by selecting from the documents of the late Nuncio the materials necessary for the work.¹ The good friar assented willingly to the proposal. He recognized that while obliging his friend Massari, he would be able at the same time to prepare the materials for the projected history of the Nunciature. With the permission of his superiors he left Rome for Florence, where the literary remains of the late Nuncio were carefully preserved by his brother, Signor Thomas Rinuccini. For two years he laboured assiduously, and forwarded regularly to Massari the materials derived from the Nuncio's papers. It was arranged that Father Richard was afterwards to revise the entire manuscript, and to decide what was to be added to or omitted from the work, but the *Memoirs* seem to imply that this was not subsequently done.

It was in this manner that Father Richard entered on the task of preparing the materials for the *Memoirs* so long contemplated. For this historical work he was singularly fitted. He had been in Ireland both before and during the period of the Nuncio's mission,² and he was acquainted

¹ *Memoirs*, vii. f. 4769.

² Father Richard O'Ferrall arrived in Ireland in January, 1644. He was Superior of the Capuchin Friary in Galway, when the Nuncio came to that city in July, 1648 (*Memoirs*, v. f. 2715). In the November of that year he went to Rome with Father Joseph Arcamoni to defend the Nuncio's cause at the Papal Court (v. 3064).

with the principal personages identified with the stirring events of that period. As the confidant and agent of the Nuncio, and as adviser at the Roman Court, he had ample opportunities of ascertaining the true state of Irish affairs. Moreover, the ample materials in his own possession and those left by the late Nuncio would enable him to record faithfully the history of that eventful time, as well as to refute the false statements of Rinuccini's opponents, and vindicate for all time the reputation of his illustrious friend. But in the impaired condition of his health the undertaking was too great for his unaided exertions. Although comparatively young,¹ he had been suffering for some years from paralysis of the right side, and he was able only with difficulty to use his right hand. He needed the services of a collaborator, and at once applied to the Irish Commissary-General, Father Bernardine O'Ferrall, O.S.F.C., his kinsman and near relative, to send one of the friars (whom for the moment we shall style *the writer*) from the Irish Capuchin Convent, of Charleville,³ France, to assist him. To this request the Commissary agreed, and, at his instance, the General of the Order instructed *the writer* to proceed to Florence and place himself at the disposal of Father Richard. This religious was at the time anxious to join his brethren on the Irish Mission, but obedience obliged him to postpone the realization of his desire. He reached Florence in September, 1661,³ and began, under the direction of Father Richard, the great work popularly known as

¹ If we assume that Father Richard was twenty years old when he entered the Capuchin Order (and he was probably younger) he was only in his forty-seventh year when he began, with his associate, in 1661, the compilation of the *Memoirs*.

² The Convent of Charleville was begun in 1615 by Father Francis Nugent, the founder of the Irish Capuchin province. 'In this convent many valiant soldiers of Christ—all of them Irish—were received into the Order. Here they prosecuted their studies, were trained in controversy and the solving of difficult cases of conscience, and made familiar with the French language, which they understood equally with the Irish, English, and Scotch tongue. Some of them trained here carried on evangelical work around Charleville and Sedan; others, singly or in batches of two or three or four, were sent to the Mission in Ireland' (*Archivio della S.C. de Prop. Fide*, iii.; *Hibernia*, vol. 298, f. 956).

³ *Memoirs*, vii. f. 4770.

the *Nuncio's Memoirs*. In *the writer*, as we shall see later, Father Richard had a willing worker and a kindred spirit—one whose literary abilities qualified him for the task, and whose opinions on Irish affairs coincided with his own. The work of the two devoted friars progressed with marvellous rapidity, in spite of the disadvantages under which Father Richard laboured, of failing health and the vindictiveness of his opponents. It may be that he felt that his infirmities presaged his early demise, and that he was eager in consequence to complete the work while his intellectual faculties retained their wonted vigour. But Providence had willed it otherwise. His condition became so serious during the Lent of 1663, that he was obliged to discontinue all literary work. After Easter he was removed to Pistoia, accompanied by his associate, in the hope that the change might restore his health. After some weeks, however, as he grew worse, they returned to the Capuchin convent of Montughi, Florence. Together they discussed the various statements for which Father Richard was responsible, both in the portion of the *Memoirs* already written and in the *Relatio* he had presented to Propaganda in March, 1658, and, while he humbly submitted all his writings to the judgment of the Church and of the Superiors of the Order, he affirmed, in presence of his confessor, Father Bernard Gondi, a Florentine Capuchin, that he did not consider they contained anything that, in his conscience, he felt called upon to alter or retract. His devout preparation for his approaching end edified all his religious brethren. He passed to his eternal reward on August 13, 1663, in the presence of his associate and of the members of the community.¹

We can ascertain only approximately how far the work had progressed when death deprived *the writer* of the guidance of Father Richard O'Ferrall. The materials for the entire work had been undoubtedly arranged by the latter, who had also communicated to his associate his opinion regarding all the events of the period of which the *Memoirs*

¹ *Memoirs*, vii. ff. 4774-4777.

treat. It is clear also from the text that much of the work had been accomplished under Father Richard's supervision. In the treatment of the events of the year 1648 in vol. v. *the writer* describes at length certain occurrences in Galway in the June of that year. He does not give the name of his informant, but merely states: 'sicut mihi tradidit qui tunc Galviae commorabatur' (f. 2688). His authority was probably Father Richard, who did not leave Galway until the November of that year. Probably Father Richard, through humility, desired, like *the writer*, that his name should not appear in the text. To the same cause we may also attribute a similar reserve in the following passage in f. 2891 of the same volume: 'Ipseque (i.e., Nuncio) in Italiam postea regressus et hac sua spe ob Ormonistarum peccata et duritiam cordis frustratus *cuidam Capucino Ibero* apud eum magno haec confidenter aperuit, etc.' The Irish Capuchin in this instance was also probably Father Richard O'Ferrall, who was in Rome when the Nuncio arrived there from Ireland. The suppression of his name up to this portion of the *Memoirs* points to the probability of the work being still under the supervision of Father Richard. In another place¹ *the writer* states that, when Father Richard was in his last illness in 1663, he found among the latter's documents some letters written to the Pope in 1649 by some of the Bishops who attended the Synod of Clonmacnoise. It may be that he was then dealing with this portion of his history, and if so, Father Richard co-operated with *the writer* in his treatment of the whole period of the Nunciature, which is the most important portion of the *Memoirs*. I am inclined to believe that the narrative of the events of 1649 (with which vol. vi. of our transcript deals) had not proceeded far when Father Richard passed away. The passage in vi. 3471: 'sicut P. Richardus ambobus (i.e., to the Nuncio and Dean Massari) admodum familiaris et charus, mihi retulit' would seem to indicate that the restraint in using Father Richard's name was then removed, and that *the writer* was free to

¹ *Memoirs*, vii. 4230.

disclose the identity of his informant. The first definite indication is given us in vol. vi. f. 3962a, where *the writer* mentions a letter he received in Florence from Rome in 1664, which was the year after Father Richard's death. This shows that, at least from this part onward, the compilation is his unaided work.

To the narrative portion of the original MS. of the *Memoirs* is appended a Latin version of the Report in Italian, which the Nuncio presented to the Pope, after his return to Rome in 1649. This report covers 75 pages. *The writer* devoted the last eight pages of the MS. to a criticism of this report, opening his remarks with these words: 'Nonnulla in hac Relatione continentur quae mihi videntur corrigenda.'

The last volume of the *Memoirs* contains many particulars of Father Richard's activities in Rome,¹ and the narrative portion of the work ends with a detailed account of his career and his edifying death.² It is stated³ also that Dean Massari, towards the close of his life, joined the Oratorians of St. Philip Neri, and that he succumbed to apoplexy on July 3, 1664. A pathetic interest thus attaches to this historic work from the fact that the three personages who figure so largely in its pages—the Nuncio, his secretary Massari, and his defender Father Richard O'Ferrall—had all passed away before its completion in 1666.

It now remains for us to ascertain the identity of *the writer* of the *Memoirs*. From the account given above it is obvious that he was an Irish Capuchin. The statement of De Burgo attributing its authorship to Dean Massari cannot therefore be maintained, and it is expressly disproved by a passage in the *Memoirs*. *The writer* gives, in vol. vii., a long account of the famous *Relatio* presented by Father Richard O'Ferrall to Propaganda on March 5, 1658,⁴ and he mentions also a work by Walter Enos, D.D., then President of the Irish College, Louvain, 'justo volumine MS. tunc per frustra ad Massarium et P. Richardum in

¹ vii. 4512-4608.

² vii. 4761-4780.

³ vii. f. 4779.

⁴ A copy of this *Relatio* is to be found in the British Museum.

Urbem misso.' He then adds: 'Praeter haec opera Latine composita, ipse Massarius hujus belli Ibernici historiam Italice composuit, *quam nunquam vidi, nec ipsum Massarium.*'¹ In the course of the narrative *the writer*, while, as we have said, studiously suppressing the mention of his name, gives us in passing many biographical details. He indicates his origin, where he was educated, his early associates, and his movements at various periods of his life. These, joined to materials from other sources, warrant us in concluding that *the writer* of the *Memoirs* was FATHER ROBERT O'CONNELL, O.S.F.C.

1. *His Origin.*—Towards the end of the last volume² a long account is given of the MacCarthy Mor, who came to Charleville in 1660, and stayed for some time with the Irish Capuchins in their convent, wearing the habit of the Third Order of St. Francis, to which he belonged. In reference to his humility *the writer* states: 'mihique ipsi quadam dierum in Gallia viatus est, sed flexis genibus ne veniam rogavit, *licet sim parentibus natus illius Regiae MacCartii Magni domus clientibus ab aevo haereditariis.*'³

In another place, treating of Richard O'Connell, Bishop of Ardferf and Aghadoe, who died in 1653, *the writer* says that the Bishop was born in the calamitous days of Queen Elizabeth, at Ballycarbery, near Valentia Harbour, in Desmond.⁴ He also states that the Bishop's parents were, like their ancestors, Catholic, and that they were hereditary clients of MacCarthy Mor, Prince of Desmond: 'ex clientibus haereditariis MacCartii Magni Desmoniae Principis.'⁵ From these two passages it is obvious that *the writer* was from the county of Desmond and a member of the O'Connell

¹ vii. 4535.

² vii. 4755-60.

³ *Memoirs*, vii. 4760.

⁴ 'A considerable part of Kerry was formerly a distinct county in itself, called Desmond: it consisted of that part of Kerry which lies south of the river Mang, with the barony of Bear and Bantry in the county of Cork, and was a palatinate under the jurisdiction of the earls of Desmond.'—Smith's *Kerry*, p. 26; London, 1774.

⁵ *Memoirs*, vii. 4328.

family, to which the Bishop also belonged, though he does not state that they were relations. The name of the Bishop is variously given as O'Connell, Conel, and Conald.¹

2. *His early acquaintances.*—(a) One of the early associates mentioned by *the writer* is Father Maurice O'Connell, S.J., a nephew of Bishop O'Connell, of whom he writes as follows: 'Specialem etiam a me sui mentionem postulat P. Mauritius O'Conaldus, Desmoniensis, *mihi olim in saeculo condiscipulus et a teneris unguiculis notus*. Is parentibus Catholicis, Mac Cartii Magni clientibus natus et litteris humanioribus in Iberniam excultus, ad annum 1638 adolescens ulterioris litteraturae studio Burdegalam trajecit,' etc.² . . . 'ad suum patrum, Richardum O'Conaldum, Episcopum Ardfeartensem se recepit.'³ The parents of Father Maurice are described in terms similar to those employed in speaking of his own, as quoted above, and their acquaintance from childhood shows that both were born in the same county, Desmond.

(b) In his account of Boetius M'Egan, O.S.F., the martyred Bishop of Ross, *the writer* again indicates his Munster origin. 'Boetius MacEganus . . . in Iberniam suam regressus, patriam insulam aliquot annos ante ortum hoc infaustum bellum verbo atque exemplo mirifice illustravit. *Hominem adolescens saepius vidi et concionantem audivi*, cujus vultus, gestus, gressus, verba atque actiones virum vere apostolicum spirabant.'⁴

3. *His knowledge of Co. Kerry.*—Only a native of Co. Kerry could possess the very accurate and detailed knowledge of the topography of that county that is shown in the *Memoirs*.⁵ The description in vol. iii. f. 2996, of the bridge over the river Maing is an illustration of this. We

¹ On the title-page of a Latin MS. History of the Irish Capuchins, by Father Robert O'Connell, O.S.F.C., the name is given as 'Roberto Conelo.'

² *Memoirs*, vi. 3306.

³ *Ibid.* 3307.

⁴ *Ibid.* 3834-5.

⁵ Of this we have instances in i. 259 and 438-440, ii. 1068-1073, iii. 1378, where he corrects the Nuncio's version of the name of a town in Kerry, and gives both the English and vernacular (or Irish) rendering of it. Also v. 2996-2999 and vii. 4169, which contains a minute description of Killarney.

are led to the same conclusion from the very full accounts given of the leading families in the Desmond country. The report of Father Joseph Arcamoni states, in vi. f. 3424, that the 'Comes Castelli Mangii' stood by the Church and the Nuncio. In his comment on this passage *the writer* remarks on f. 3433: 'I believe he speaks here of Daniel M'Carthy "viro quidem nobilissimo sed non Comite, qui castellum in Mangio flumine situm, tenebat."'

4. *His Studies*.—In the following passage *the writer* gives us a very important item of personal information:—

Celebris est Momoniae civitas Corcagia, in qua ad annum 1637 Philosophiae perfunctione operam dedi, quam deinde frequentavi et ex qua, paulo ante ortum hoc bellum anno 1640, ulteriorem bonis litteris operam daturus die S. Patricio Iberniae Apostolo gloriosissimo sacra, velum feci in Galliam trajecturus. Vidi ego testis oculatus ibi invitis haereticorum Anglorum tantis et tam diuturnis retro conatibus ad haeresim intrudendam et fidem extirpandam adhibitis, etc.¹

This passage, occurring almost in the beginning of the work, disproves the opinion that portion of the *Memoirs* was the work of Father Richard O'Ferrall. The latter went to France in 1630 along with Father Francis Nugent, O.S.F.C., and was received into the Order in Charleville, France, in 1634.² He was a native of Longford, and made his early studies in the colleges of Lille and Douai. From another source we are able to establish that the dates given in the Latin passage above quoted are verified in the case of Father Robert O'Connell, O.S.F.C., and that we are warranted in claiming him as *the writer* of the *Memoirs*. The corroborative information is contained in a MS. work by Father Robert O'Connell, entitled, *Historia Missionis Hiberniae Fratrum Minorum Capucinatorum*, which is preserved in the Municipal Library of Troyes, France.³ It

¹ *Memoirs*, i. 433, 434.

² *Ibid.* vii. 4761.

³ There is a copy of this work in the Capuchin Archives, Church Street, Dublin, the pagination of which corresponds with that of the original. The *Historia* traces the history of the Irish Capuchin province from its foundation to the October of 1653. The work was commenced in 1652 and completed in 1654. A subsequent addition of 22 pages by the same writer brings the history to the middle of 1656.

occurs at the beginning of the remarks to the reader and, as it supports another item of proof as well, I shall quote the entire passage.

Lector benevole, cum rediissem Parisiis (ubi Theologiae Capucinus inter Capucinos operam navavi) Carolopolim nidum novitiatus mei mox incumbere caepi iis exercitiis quibus disponer ad obeundas Missionarii functiones: verum ad R.P. Christophori O'Kearnii Commissarii nostri Generalis mandatum post aliquot menses ab impulsu transtuli me an. 1652 mense Junio ad digerendas in ordinem historicum res nostrae Missionis. Cui Provinciae me immiscui propter obedientiae meritum, alias enim nunquam onus subiissem idque imprimis ob incapacitatem et styli inopiam. Etenim licet olim adolescens ac deinde stricta oratione plurimum delectarer (etsi in ea haud multum profecerim) solutam tamen negligabam usqueadeo ut an. 1640 cum studerem *Rhetoricae apud Burdegalam* sub R.P. Fontanello Jesuita poeseos proemium semel atque iterum reportaverim. Quo non obstante soluta numeris oratione non auderem hunc epistolium exarare adeo in eo genere exercitii eram peregrinus. Memini enim me postea an. 1643 dedisse semel ad quemdam ex amicorum grege litteras latinas non metricas (sicut solebam) in quibus componendis anxie versabar, quae tamen sub finem haud habebant micam salis. Studui postea utcumque philosophiae et jurisprudentiae tam civili quam ecclesiasticae placuitque tum maxime oratoria facultas ob ditissimam et elegantissimam Jurisconsultorum in explicandis rebus prope omnibus messem et methodum. Quare non paucas horum si non leges integras et canones saltem cultiores phrases memoriae scriniis mandavi. Subducta post haec manu ferulae an. 1644 dabam identidem litteras Latinas ad amicos idque de industria ut Latine componere edidiscerem. Quod etiam ingressum Religionem in more habui. Quo factum ut macro quodam modo idoneum epistolatorio commercio stilum mihi comparaverim.¹

Father Robert here states that he studied rhetoric in Bordeaux from 1640 until at least 1644, and that after studying theology in Paris he returned in 1652 to Charleville, where he had made his novitiate, to prepare himself for missionary work. The *Book of all the Vestitions*,² which contains a record of all the friars received in Charleville, informs us that Father Robert was received into the Order on July 22, 1645. The *Historia* states³ that he went to Paris for his theological studies in 1647, and remained there until the completion of his course. A comparison of the two passages quoted above clearly shows that Father

¹ *Historia*, etc., f. 7.

² Archiv. Hist. du Dept. de l'Aube, Troyes, ii. $\frac{v}{7}$.

³ *Historia*, f. 684-5.

Robert O'Connell is to be regarded as the writer of the *Nuncio's Memoirs*.

5. In narrating the progress of events occurring in Galway in 1648, *the writer* states¹ that he was personally acquainted in Bordeaux with Dr. O'Hurley, who was then P.P. of Athenry: 'Athenriae tunc Rectorem agebat D. Cornelius O'Hurlaeus, S. Theologiae Doctor, *mihi ante in universitate Burdegalensi notus,*' etc., which confirms the statement that *the writer* was educated in Bordeaux, and further identifies him with Father Robert O'Connell.

6. In the concluding pages of the *Historia*² the author tells us that during the year 1655 he was required occasionally to interrupt his literary work in Charleville in order to assist the friars in their missionary labours. His residence in the convent at that time accounts for the detailed narrative given in the *Memoirs*³ of the holy death of Brother John Verdun, O.S.F.C., which occurred in Charleville, on March 15, 1655, and at which *the writer* states he was present.

7. There are two other statements in the *Memoirs* that assist materially in the identification of *the writer*. Both have reference to his correspondence with Dr. O'Reilly, Primate of Armagh, and William Burgatt, V.G., of Emly: 'Porro D. Guillelmus Burgattus quadam mea epistola quam ad hujus Primatis Iberniae successorem, Illustrissimum Dominum, Edmundum O'Rellium anno 1664 Romam scripsi, Romae lecta, ad me ex Urbe 26 Junii 1664 Florentiam scribens,' etc.⁴ Again he writes: 'Porro ego has omnes chartas aliasque eodem spectantes anno 1664 Edmundo O'Rellio, Primati Ardmachano, et dicto D. Guillelmo Burgato tunc Romae se tenentibus Florentia in Urbem misi ut iis uterentur sicut expedire judicaret.'⁵ On the previous page he informs us that one of the documents referred to in the above quotation was a letter of the Council of Clonmacnoise, written by the Bishop of Emly.

¹ *Memoirs*, v. f. 2697.

² *Historia*, f. 720.

³ v. ff. 2865-70.

⁴ vi. 3962a.

⁵ vii. 4231.

Two letters of Father Robert O'Connell, O.S.F.C., in the Wadding MSS. in the Franciscan Library, Merchants' Quay, Dublin, prove that he was also the *writer* of the two passages quoted above. These two letters in the handwriting of Father Robert were written to Father Francis Harold, O.S.F.,¹ St. Isidore's, Rome, requesting information about Irish events and prominent Irish ecclesiastics, obviously for the purpose of the work on which he was engaged. In the first letter,² dated Florence, June 3, 1664, he refers to the historical documents of Father Richard O'Ferrall: 'Ad P. Richardi schedas quod attinet, collegit quidem ille ex praemortui Iberniae Nuncii scriniis copiosissimis, aliundeque, multa ad rerum Ibernicarum nostra memoria gestarum notitiam haud mediocriter conducentia,' etc. In the second letter,³ written on Pentecost Saturday, 1665, Father Robert states that he sent to Rome the letters mentioned in the passage from the *Memoirs* quoted above: 'Obsecro etiam ut (Paternitas vestra) D. Guillelmum Burgatt meo nomine roget, quatenus epistolae a Congregatione Clonmacnensi an. 1649 scriptae apographum a me missum remittat, iis quorum est, restituendum.' In the margin of this letter is the following note, also in Father Robert's handwriting: 'Epistolae apographum quod a D. Burgatto, quem ex corde saluto, postulo, est quod Episcopus Imolacensis manu propria transcripsit.' The corroboration supplied by this letter of Father Robert assuredly confirms the statement that he is *the writer* of the *Nuncio's Memoirs* and may make further proof appear superfluous. However, there still remain two other points which, to make the chain of evidence complete, we consider it desirable to insert.

8. For every statement made in the text of the *Memoirs*, *the writer* invariably mentions his authority. He likewise gives the source of every passage quoted in his work. Thus, in matters relating to the Irish Capuchins, he refers to the

¹ He was nephew of the celebrated Father Luke Wadding, O.S.F., whom he succeeded as historiographer of the Franciscan Order.

² Wadding MSS., D. 55.

³ Ibid. D. 65.

archives of Charleville Convent. In giving an account of the conduct of the English soldiers in Dublin in 1641, and the fate of the Dublin Capuchins, he gives a long passage¹ from a history written by Father Nicholas Archbold, O.S.F.C., who was in Dublin at the time. Were a list of the authorities referred to in the *Memoirs* compiled, it would show the very wide range of the *writer's* reading, his intimate acquaintance with Irish and English historical works, and how carefully he explored every available source of information, to ensure accuracy for his monumental work. He had evidently at hand the *Historia*, already mentioned, as he has transferred to the *Memoirs* several pages from it, yet nowhere in the *Memoirs* is the slightest reference to this work to be found. The only reason that can be alleged for this remarkable omission is that, as he was utilizing his own production, reference to it was not necessary, and it again points to the conclusion that the author of the *Historia* is also *the writer* of the *Memoirs*.

The following instances from vol. vii. of the *Memoirs* will illustrate the use made of the *Historia* by *the writer*:—

vii. ff. 4240-4242 corresponds with ff. 690-691 of the *Historia*, with the exception of some verbal changes, due probably to a more elegant style of Latin composition which *the writer* had in the meantime acquired. For example, the following passage in the *Historia* (f. 691): 'et alia multa dira et dura quae in eodem edicto quod nos brevitatis causa ad longum non citamus apud libros ab ipsis Anglis editos legantur,' is amended thus in the *Memoirs* (f. 4241): 'et alia multa dira duraque in eodem edicto sanguinario quod brevitatis studio ad longum non inserimus apud libros ab ipsis Angliae Catholicis editos legenda.'

Again, the pages vii. 4244-4251 are transferred from ff. 692-700 of the *Historia*, and we observe again the improvements made at times in the Latin construction, e.g., 'Hinc praefati edicti executio' becomes in the *Memoirs*, 'Quare praefati edicti executio.' For 'monuitque' he

¹ *Memoirs*, i. ff. 420-421.

substitutes 'monitumque habuit.' The clause 'proindeque non fore sumpturum nisi citra quod ad procurandum animarum lucrum remeare non possit' is altered to 'adeoque non sumpturum nisi citra quod ad procurandum animarum lucrum remeare non valeret.'

Pages 4386-4389 of the *Memoirs* reproduce the pages 702 and 703 of the *Historia*, and again, pages 4421-4426 of the *Memoirs* are taken from pages 704-705 of the *Historia*.

9. We shall adduce only one further item of evidence from the *Memoirs* in support of Father Robert O'Connell's claim to be regarded as *the writer* of the work. He records in the text¹ that he was sent to Florence to assist Father Richard O'Ferrall in the compilation of the *Memoirs*, and that the work was written in that city. Father Dionysius of Genoa, O.S.F.C., in his work, *Bibliotheca Scriptorum Ordinis Capucinatorum*,² mentions that, when he was in Florence, in 1662, he met there Father Richard O'Ferrall and Father Robert O'Connell. He includes these two friars among the writers of the Order, and describes Father Robert O'Connell as, 'Robertus Hybernensis Patris Richardi Hybernensis socius ac etiam missionarius Apostolicus'³—thus testifying to his association with Father Richard O'Ferrall.⁴ We have already referred to the two letters of Father Robert in the Wadding MSS., written in Florence in 1664 and 1665, which prove him to have been in that city after Father Richard's death, where no doubt he

¹ vii. f. 4770.

² Printed in 1691.

³ Op. cit. f. 285.

⁴ The two friars do not appear to have given any information about their activities to Father Dionysius, hence his incorrectness in stating in the following passage (f. 284) that (1) the work was written by Father Richard, and (2) that it was commenced by the Nuncio: 'Richardus . . . confecit ingens Volumen Historicum in quo Latine tractat "De rebus Hybernicis ad Catholicam Fidem spectantibus" quod opus jam antea fuerat inchoatum ab Illustrissimo ac Reverendissimo DD. Joanne Baptista Rinuccino Archiepiscopo Firmano et in Regno Hyberniae Sedis Apostolicae Nuntio. Vidimus illud MS. apud eundem P. Richardum dum Florentiae commoraretur anno 1662.' Father Dionysius in his work makes no mention of the *Historia* in treating of Father Robert O'Connell, though it was completed in 1654.

remained until the completion of the work in 1666. Clearly then, Father Robert O'Connell was Father Richard's associate, and we are justified in according to him the credit of being *the writer* of the *Nuncio's Memoirs*.

After having completed the above process of identification of *the writer* from the evidence supplied by the text of his work, it occurred to me that an examination of the original MS. of the *Memoirs* in Milan and a comparison with the authentic handwriting of Father Robert would confirm the truth of the conclusion stated in this article. It was not, however, possible at the moment to inspect the original, but I was fortunately able to procure¹ photographs of portions of the MS. which answer our purpose equally well. These photographs are: (1) of the first page, which contains the title of the work and the opening sentences; (2) of page 336 of the MS.;² (3) page 1325, and (4) the last page of the work. Photographs (1) and (2) show the handwriting of the early portion of the *Memoirs*; (3) represents that of the middle of the MS.; and (4) that of the end.

This selection was made in order to ascertain if there was any discrepancy in the handwriting that would indicate it to be the work of more than one person. The photographs revealed that, on the contrary, the handwriting was identical in all, and that, consequently, the entire MS. was the work of one individual. Moreover, on comparing these photographs with the handwriting of the two letters of Father R. O'Connell in the Wadding MSS. the resemblance was unmistakable. These photographs were next compared with photographs of the original of the *Historia* (written by Father Robert), and it was easy to recognize that both the *Memoirs* and the *Historia* were written by the same hand. Hence we are justified in

¹ Through the kindness of Signor Cav. Dott. Francesco Forte, Milan.

² This page of the MS. corresponds to i. 288-9 of the transcript from which I have been quoting in this article; page 1325 of MS. corresponds to f. 2480, the last page of vol. iv.

attributing to one of our own countrymen this great work, and in inscribing on the list of Irish historians the honoured name of Father Robert O'Connell, O.S.F.C.

No period of Irish history has been more grossly misrepresented by English and Protestant historians than that dealt with in the *Nuncio's Memoirs*. Calumnies that had their origin in hatred of our race and religion are being still repeated, and presented as the sober facts of history. Within recent years many important historical materials have been discovered that shed a new light on portions of our country's chequered history, and make it evident that the authentic history of Ireland still remains to be written. The historian who sets himself to the task of treating aright the momentous struggle for Irish freedom that was waged in the seventeenth century will find ample materials for his purpose in the *Nuncio's Memoirs*, without the assistance of which, as Warner remarks in the work already referred to, 'it is impossible for any history of the Irish rebellion to be complete.'

The pages of the *Memoirs* have yielded much valuable information to those at present engaged on the Process for the Beatification of the Irish Martyrs, but outside that circle this great work is practically unknown. In a report¹ presented by members of the Historical MSS. Commission to Lord Romilly, Master of the Rolls, in 1870, it was stated that 'of the importance of this manuscript as a means of enabling the historian of the Irish war of 1641 to strike the balance of truth between the conflicting narratives, it is impossible to speak too strongly.' They therefore recommended that in the interests of historical research the work should be published. This, however, was not done, for reasons obvious to anyone acquainted with its contents.

The task of bringing to the knowledge of the public this valuable mine of historical information is beyond the reach of private enterprise. Let us hope that, under the

¹ *Thirty-second Annual Report of the Deputy-Keeper of the Public Records [England]*; London, 1870.

auspices of our own Irish Government, which, no doubt, will deem it an honour as well as a duty to foster all that tends to enhance our country's reputation, the publication of a work of such national importance may soon be undertaken. It will serve to refute many of the false charges made by the enemies of our creed and country. It will also bring to light many interesting facts, not only of the period with which it specifically treats, but also of the history of our country in the preceding centuries.

FATHER STANISLAUS, O.S.F.C.

DOCUMENTS

MOTU PROPRIO OF PIUS XI REGULATING AND AMPLIFYING THE PIOUS WORK OF THE PROPAGATION OF THE FAITH

(May 3, 1922)

MOTU PROPRIO

DE PIO OPERE A PROPAGATIONE FIDEI AMPLIFICANDO

PIUS PP. XI

Romanorum Pontificum in hoc maxime versari curas planum est oportere, ut sempiternam animarum salutem, Iesu Christi regno per orbem terrarum dilatando, quaerant, quandoquidem divinus Ecclesiae Conditor apostolis suis sic mandavit: *Euntes docete omnes gentes*¹; *Praedicate Evangelium omni creaturae*.² Id Petrus, id successores eius nunquam praetermiserunt: eamque ipsam ob causam, quo tempore experientium virorum industria et labor, maria pervestigando, ignotas regiones invenerat, atque ad novos populos aditum hominibus apostolicis patefecerat, decessor Noster illustris Gregorius XV, sapienter existimans, ut eius Acta loquuntur, 'praecipuum pastoralis officii caput esse propagationem Fidei Christianae,' sacram Congregationem Propagandae Fidei instituit, quo quidem immensum plane opus apostolatus apud infideles melius promoveretur. Huius enim Congregationis est cum missionarios in omnes partes dimittere eosque pro locorum rationibus disponere, tum personis institutisque et consilio et re praesto esse, omnia denique praestare, quaecumque, ad subveniendum Missionum necessitatibus, studium apostolatus ac multiplex Christi caritas suaserit. Quod vero proprie attinet ad rerum externarum subsidia, quae ad Missionum catholicarum bonum quamquam potissima non sunt, magnum tamen momentum habent, ea olim decessores Nostri largiter ipsi praebuerunt. Accedebat, ut principes christiani, opinione quoque adducti scilicet non exiguarum omnis generis utilitatum, quas suis regnis nationibusque obventuras sperabant, magnis easdem Missiones liberalitatibus adiuverant. Nunc autem alia prorsus condicione ac fortuna haec Apostolica Sedes utitur, ut constat; neque ei iam ad Ecclesiae sanctae fines proferendos multum licet rerum publicarum largitate confidere.

Ceteroqui numquam fortasse alias tantus exstitit in populo christiano animorum motus ad provehendas Missiones, quantus nuper excitatus est, ex quo decessor Noster desideratissimus, Benedictus XV, Litteras Encyclicas *Maximum illud* ad orbem catholicum ea de causa dedit.

¹ Matth. xxviii. 19.

² Marc. xvi. 15.

Nimirum optimo diligentissimoque Pontifici tam acerba laborum ac dolorum perpresso, dum diuturnum bellum mansit, ac deinde pace Europae suadenda propemodum defatigato, Dei benignitate hoc est oblatum solacii, ut in Africa, in Asia, in America certis argumentis prospiceret Evangelicae praedicationis successus multo feliciores, quam antea, mox futuros.

Nos vero quos eadem tenet atque alit exspectatio, Nostrum intelligimus esse rei nulla deesse ope, ob eamque causam curare perdiligenter, ut et quae ille sapientissime praescripsit, religiose serventur, et quibus Missionarii nostri subsidiis indigent ad melius elaborandum, ea illis abunde suppetant. Subsidia quidem, quae externis in bonis consistunt, solent religiosorum familiae, pro suis quaeque Missionibus, ex populo christiano conquerere; populus autem, vel fidei amore caritatisque studio motus vel alio etiam honestissimo sensu, dat non invitus, atque in nonnullis nationibus affluenter. Verum neque haec stipes corrogandi ratio accommodata est singularum Missionum necessitatibus, neque per eam licet aequabiliter atque ordine universas administrare Missiones maiore cum earum emolumento ac stabilitate.

Quaecumque igitur inventa sunt genera particularibus Missionibus opitulandi, Nos, aequae ac decessores Nostri, comprobantes, habemus in animo catholicarum Missionum universitati, certa ratione et via, ex catholici orbis collatione, consulere, ita quidem ut et corrogatae apud omnes nationes ab omnibus, quotquot sunt, Ecclesiae filiis vel minutae stipes in unum acervum, universe Missionibus tuendis destinatum, colligantur, et haec pecunia omnis, potestati quidem arbitrioque commissa Nostro dumtaxat et Sacrae Congregationis Christiano nomini propagando, per delectos a Nobismetipsis viros, in omnes distribuatur Missiones, pro uniuscuiusque necessitate.

Iam vero cogitantibus Nobis quo pacto id propositum efficiamus, feliciter occurrit praeclarum illud Lugdunense Opus a *Propagatione Fidei* nuncupatum, quod abhinc ipsis centum annis homines aliquot pietatis caritatisque laude spectatissimi condiderunt. Nemo est qui singularia promerita instituti huius ignoret; quod quidem inter Galliae catholicae recentiora ornamenta et decora numerari debet; hoc enim societatis vinculo colligati, mirabile est quam multi ex omni ora ac parte terrarum Missiones catholicas adhuc suo et stipis auxilio et piaee precationis suffragio iuvare consueverint. Quapropter magnis pontificalis indulgentiae muneribus ac privilegiis Opus, de quo loquimur, cumularunt decessores Nostri, praecipueque Gregorius XVI Apostolicis Litteris *Probe notis* die xv augusti MDCCCLX, et Leo XIII Epistola Encyclica *Sancta Dei civitas* die iii decembris MDCCCLXXX, omnibus Episcopis universoque fidelium gregi honorificentissimis verbis commendarunt. Nobis autem hoc loco dilaudare libet utriusque Consilii, Lugdunensis et Parisiensis, a quibus gubernatur, prudentiam maxime et aequitatem in adiuvandis non iis tantum Missionibus, quas nobilissima Gallorum gens, pro tradito a maioribus Fidei sanctae custodiendae ac promovendae studio, usquequaque constitutas habeat, verum etiam, quas ceterae gentes, Iesu Christi spiritu in certamen honestissimum instinctae, condiderunt.

Ob eam igitur, quam memoravimus, causam, potius quam aliquid novi inveniamus, faciendum videtur, ut ipsum Opus *Propagationis Fidei*, sede eius in hanc almam Urbem, totius Ecclesiae caput, translata, aptius a Nobis reddatur ad mutata tempora, Nostraque ornatum auctoritate, Pontificale fiat instrumentum stipibus fidelium ad usum Missionum universarum colligendis. Idque Nos effecturi sumus eo libentius quia qui tum Lugduni tum Lutetiae Parisiorum huic Operi praesunt, datis ad Nos pientissimis litteris professi sunt se, ut filios Ecclesiae observantissimos, magna amplexuros voluntate, quidquid posthac de re sibi suisque civibus carissima haec Sedes Apostolica decreverit. In quo quidem lectissimi viri se et catholica professione et Gallico nomine dignos praebuerunt, cum aperte ostenderint tanti apud se esse dare operam regno Iesu Christi in terris amplificando, ut ceteras res, vel quas recte meritoque diligunt, posthabere non dubitent. Nos vero huiusmodi animi habitum eumque non modo eorum proprium sed communem catholicorum hominum ex Gallia, sic probamus ut *in faciem Ecclesiarum* vehementer commendemus.

Itaque de Apostolicae potestatis plenitudine, Motu proprio et certa scientia, haec statuimus et sancimus:

I. Pium Opus a *Propagatione Fidei*, in novam formam redactum, iam nunc Romae esto apud Sacram Congregationem de Propaganda Fide, ut ipsius Apostolicae Sedis sit instrumentum ad fidelium stipes undique cogendas easque erogandas in usum omnium Missionum catholicarum.

II. Operi universo Consilium praesidebit, a Nobis per eandem Sacram Congregationem electum ex Clero earum nationum, quae sollemne habeant certam pecuniae vim in Opus conferre.

III. Natio Gallica, utpote quae ipsum Opus, de quo agitur, pepererit, atque in traducendis ad fidem barbaris utilissime semper laboraverit, Generalis Consilii praecipuo quodam iure particeps esto.

IV. Pium Opus itemque Generale Operis Consilium quem ad modum dirigi oporteat, gemina lege, his adiuncta Litteris, statutum est.

V. Consilia uniuscuiusque Nationis centralia, quae dicuntur, ad has Nostras leges, de sententia Generalis Consilii, sua ipsorum statuta exigant. Quod sicubi huiusmodi Consilia desiderentur, ea quam primum Episcopi instituenda curabunt. Ubi autem res iam simili instituto adsit, quamquam alio nomine, eorundem erit efficere ut, omni sublato discrimine, ad hoc Opus redigatur; vehementer enim in hoc genere ad fructum interest, ubique, quantum locorum varietas patitur, teneri aequabilitatem.

Nos equidem, patrocinio freti Mariae Virginis Immaculae, atque Apostolorum Principum Petri et Pauli, illius quoque magni Fidei Catholicae propagatoris, Francisci Xaverii, huius sodalitatis patroni caelestis, ex divina benignitate iam fore confidimus, ut quod decessori Nostro optatissimum fuit ¹ hoc ipsum Opus a *Propagatione Fidei*, itemque alia duo a *Sancta Infantia* et a *Sancto Petro Apostolo* ad Cleri indigenae institutionem, quae Opera haec Apostolica Sedes agnoscit sua, laetabile

¹ Benedictus XV, in litt. eneycl. *Maximum illud*.

iam capiant incrementum. Pro certo autem habemus Episcopos ceterosque sacrorum Antistites in hac causa omnem operam studiumque, apud suam quemque Ecclesiam, Nobis navaturos, adhibita in primis *Conso- ciatione Cleri Missionaria*, quae dicitur : quam Consociationem, mirifice sane opportunam, Nobisque non minus ac decessori Nostro probatam, si quidem apud se desit, condere maturabunt.

Quaecumque vero his Litteris statuta a Nobis sunt, ea omnia firma et rata esse iubemus, contrariis quibusvis non obstantibus.

Datum Romae apud Sanctum Petrum, die III mensis maii, in festo inventionis S. Crucis, MCMXXII, Pontificatus Nostri anno primo.

PIUS PP. XI.

PII OPERIS A PROPAGATIONE FIDEI STATUTA GENERALIA

I. Pium Opus a Fidei Propagatione, quod inter alia in commodum Missionum instituta primum locum obtinet, unum ac vere catholicum est : consociatio scilicet omnium ex omni gente fidelium non solum ad orbis terrae evangelizationem coniunctis ad Deum precibus adiuvandam, sed etiam ad labores missionariorum stipe collata sustinendos, atque ad pecuniam a fidelibus oblatam Missionibus distribuendam.

II. Idem Pium Opus Lugduni in Gallia anno Domini 1822 constitutum est : deinceps saepius a Romanis Pontificibus privilegiis ac donis spiritualibus cumulatum, denique a Summo Pontifice Pio divina Providentia Pp. XI Motu-proprio die 3 maii 1922 edito ad dignitatem instrumenti Apostolicae Sedis evectum.

III. Quare Pium Opus proxime nititur auctoritate Sanctae Sedis unde suam vim roburque mutuatur ; domicilium autem praecipuum Romae habet in aedibus Sacrae Congregationis de Propaganda Fide, a qua, licet seiunctum, tamen pendet.

IV. Sodales Operis adscribuntur christifideles ubique terrarum degentes, qui duodecim saltem sint annorum atque in singulas hebdomadas vel vicesimam libellae partem (vulgo unum solidum), vel libellae quartam in singulos menses, vel libellas duas et sexaginta centesimas partes quotannis conferant : iidem praeterea quotidie semel *Pater et ave* recitare debent, addita invocatione : *Sancte Franciscus Xaveri, ora pro nobis*. Ii vero qui semel ducentas libellas solvunt, sodales in perpetuum adscribuntur.

V. Pii Operis sodales in decurias vel centurias vel chiliarchias vel aliter pro locorum rerumque adiunctis distribuuntur.

VI. Pium Opus non tantum pecuniam a sodalibus oblatam, sed etiam ab aliis quibuslibet sponte allatam : stipendia quoque pro Missis celebrandis : atque etiam bona immobilia, resque pretiosas cuiusvis generis in commodum Missionum libentissime recipiet.

VII. Pii Operis administratio suprema est penes Consilium Superius Generale Romae consistens apud Sacram Congregationem de Propaganda Fide. Eidem praest Secretarius pro tempore Sacrae Congregationis de Propaganda Fide qui ad id munus a Summo Pontifice expresse nominatur. Consilium vero iuxta statutas leges agit ac regitur.

VIII. In singulis nationibus, in quibus Pium Opus viget, constituentur Nationalia Consilia quae Consilio Superiori Generali consistenti in Urbe subiecta erunt. Eorum Praesides a Sacra Congregatione de Propaganda Fide, consideratis Episcoporum votis, eligentur.

IX. Consilium Superius Generale curabit :

1) ut apud omnes nationes, Episcopis adiuvantibus, Pium Opus rite instituitur, atque incrementum capiat, praesertim Consiliis Nationalibus institutis ;

2) ut una eademque ratio servetur in subsidiis inter Missiones distribuendis ;

3) ut congruenter naturae Pii Operis nova incepta pro regionibus diversa in unum componantur ;

4) ut examini subiiciantur atque rata habeantur statuta, item rationum libri qui a Consiliis singularum nationum sibi oblati erunt ;

5) ut pecunia a fidelibus oblata Missionibus aequabiliter distribuatur iuxta regulas a Sacra Congregatione de Propaganda Fide ad id statutas.

X. Pecunia collecta quotannis mense martio a Consilio Superiore Generali Missionibus distribuitur. Eidem Consilio Superiori Generali licet ad arbitrium Praesidis alias largitiones extra id tempus erogare.

XI. Omnes Missiones, nulla excepta, hac pecunia iuvantur, quae quidem, necessitatum ratione habita, omnibus aequabiliter distribuitur. De acceptis atque distributis stipibus quotannis in commentario Pii Operis referatur.

XII. Missionum necessitates Consilio Superiori Generali patefiunt cum ex certa notitia Sacrae Congregationis de Propaganda Fide, tum ex responsionibus ad peculiare quæstionarium a Missionariis datis.

XIII. Consilia vero in singulis constituta nationibus curam habent :

1) ut Pium Opus in omnibus regionis dioecesibus rite condatur conditumque promoveatur ;

2) ut Pii Operis natura atque proposita opportune evulgentur, praesertim libris vel foliis editis, singulorum populorum indoli congruentibus, inter quae Annales de Propagatione Fidei vernacula lingua confecti praecipui habendi sunt ;

3) ut pecunia collecta in singulis dioecesibus recte administretur atque ad Consilium Superius Generale tuto mittatur.

XIV. In singulis autem dioecesibus Pii Operis Moderatores ab Episcopis eliguntur ob eam causam ut apud omnes parochias, parochis instantibus, eiusdem Pii Operis incrementum curent, pecuniam a fidelibus oblatam colligant, eamque ad Consilium Nationale mittant.

XV. Pio Operi in singulis nationibus promovendo valde confert Consociatio Cleri Missionaria, quae eo spectat ut animos sacerdotum ad Pium Opus atque ad cetera huiusmodi opera promovenda excitet.

XVI. Congruenter fini ad quem Pium Opus est institutum, tum Consilium Superius Generale, tum Consilia Nationalia, tum etiam Moderatores dioecesani sedulo curabunt ut in adscriptorum animis per conciones supplicationesque sollemnes fides viva, pietas sincera, zelus animarum vigeant, unde Pio Operi divina munera ad uberes eius fructus concilientur.

STATUTA PRO CONSILIO SUPERIORE GENERALI PII OPERIS A PROPAGATIONE
FIDEI

I. Consilium Superius Generale Pii Operis a Propagatione Fidei Romae sedem habet apud Sacram Congregationem de Propaganda Fide cui proxime subiicitur.

II. Idem constat Praeside, Vicepraeside, Secretario Generali aliisque membris tum ecclesiasticis tum laicis. Ii sunt :

1) Praesides Consiliorum quae in singulis nationibus constituta sunt ;

2) nonnulli viri ecclesiastici Romae commorantes qui nationum ad Pium Opus plurimum conferentium singularum singuli personam gerent ;

3) aliquot alii vel sacerdotes vel laici qui ob peculiarem rerum peritiam Pio Operi valde profuturi videantur.

III. Praeses Consilii Superioris Generalis est. Secretarius pro tempore Sacrae Congregationis de Propaganda Fide, qui tamen ad hoc munus Praesidis Pontificia auctoritate nominatur.

IV. Gallorum genti, apud quos Pium Opus ortum habuit quorumque praeclara merita in operibus missionibus promovendis eminent, honos tribuitur duas sedes tenendi in Consilio Superiore Generali.

V. Ob easdem causas unus ex Gallicis Consilii membris fungetur munere Vicepraesidis Consilii Superioris Generalis.

VI. Sacra Congregatio de Propaganda Fide, Praeside excepto, Consilii membra, non neglectis Episcoporum optatis, ad quinquennium instituit.

VII. Si quem ex Consiliariis inter Purpuratos Patres cooptari aut episcopali dignitate honestati contingat, is hoc ipso a Consiliarii munere cessat.

VIII. Consilii Superioris Generalis duo praecipue sunt : Pium Opus administrare atque pecuniam a fidelibus oblatam Missionibus rite distribuere.

IX. Ad prius quod attinet, Consilio Superiori Generali cum Consiliis singularum nationum concordissima ratio intercedit :

1) ut apud omnes nationes, Episcopis opem conferentibus, Pium Opus instituatur atque incrementum capiat ;

2) ut una administrandi ratio servetur in Missionibus subsidiis adiuvandis ;

3) ut congruenter naturae Pii Operis nova incepta pro regionibus diversa in unum componentur.

4) Praeterea Consilii Superioris Generalis est examini subiicere atque rata habere Consiliorum singularum nationum statuta : itidem rationum libros una cum pecunia quotannis sibi oblatos approbare.

X. Ad subsidia Missionibus rite distribuenda Consilio Superiori Generali curae est :

1) pecuniam in unum collectam in fundis tutis ac frugiferis collocare ;

2) eandem pecuniam resve alias forte oblatas Missionibus aequabiliter distribuere secundum regulas a Sacra Congregatione de Propaganda Fide ad id statutas, in eum finem dumtaxat ut Christi regnum ubique gentium dilatetur.

XI. Praeses Pium Opus regit de pleno consensu Eñi Cardinalis Praefecti Sacrae Congregationis de Propaganda Fide ; praeest sessionibus Consilii Superioris Generalis eiusque deliberationes et decisiones gubernat.

XII. Vicepraeses, Praeside absente, eiusdem partes implet ; praeterea Praesidi in communicationem laboris suas vires confert quasi proximus ac studiosissimus administer.

XIII. Consilium Superius Generale quod maiori parti placuerit, decernit. Decreta vero quae de rebus maioribus fieri contingat, subiiciuntur Sacrae Congregationi de Propaganda Fide ut eidem probentur.

XIV. Secretarius Generalis nominatur a Sacra Congregatione de Propaganda Fide, proponente Consilio Superiore Generali. Ei maxime incumbit Pii Operis procuratio ; idem in coetibus Consilii Superioris Generalis suffragium consultivum habet ; munere fungitur ad nutum Sacrae Congregationis de Propaganda Fide ; honorarium accipit.

XV. Secretarius officialibus inferioribus proxime praeest ; praeparat negotia in coetibus Consilii Superioris Generalis agenda ; Consilii Superioris Generalis mandata exsequitur ; litteras mittit accipitque, aliaque huiusmodi munera explet.

XVI. Secretario autem subsunt Vicesecretarius, Arcarius aliique officiales stipendio conducti, quos Consilium Superius Generale, prout res postulat, nominat.

XVII. Vicesecretarius Secretario in omnibus adssistit, eiusque absentis vices gerit, itemque sessionibus Consilii Superioris Generalis, ubi opus sit, interest. Is a Consilio Superiore Generali nominatur, proponente Secretario.

XVIII. Thesauri Custos arcam Pii Operis diligentissime custodit ; praeterea quotannis accepti et expensi rationem, a duobus Censoribus ad id a Consilio Superiore Generali deputatis excussam atque probatam, Consilio subiicit.

XIX. Arcarius pecuniam ab adscriptis datam vel ab aliis oblatam recipit ; sub nutu autem thesauri Custodis diligenter administrat.

XX. Consilium Superius Generale semel in mense fere convenit ; extra ordinem vero, prout res postulet. Penes Praesidem ius est et officium idem convocandi.

XXI. Conveniunt omnia Consilii membra Romae commorantia ; eaque suffragii deliberativi ius habent.

XXII. Pecunia a christifidelibus oblata, quotannis mense martio distribuitur a Consilio Superiore Generali.

XXIII. Omnes vero Consiliarii extra Romam degentes, mature advocantur ad coetum a Consilio Superiore Generali mense martio habendum.

XXIV. Tribus vel quatuor ex Consilii membris committitur ut, antequam Consilium Superius Generale ad pecuniam distribuendam conveniat, distribuendi rationem praeparent eamque Consilio proponant.

A WORK BY DR. NIVARD SCHLÖGL, OF THE CISTERCIAN ORDER, IS PUT ON THE INDEX OF PROHIBITED BOOKS

(May 19, 1922)

SUPREMA SACRA CONGREGATIO S. OFFICII

DECRETUM

DAMNATUR QUODDAM OPUS R. P. NIVARDI SCHLÖGL ORDINIS

CISTERCIENSIIUM

Feria IV, die 17 maii 1922

In generali consessu Supremæ S. Congregationis S. Officii Eñi ac Rñi Dñi Cardinales in rebus fidei et morum Inquisitores Generales proscripserunt, damnarunt atque in Indicem librorum prohibitorum inserendum mandarunt opus cui titulus: *Die heiligen Schriften des Alten Bundes*, von Dr. Nivard Schlögl, O. Cist., erster Band.

Et insequenti feria V, die 18 eiusdem mensis et anni, Sanctissimus D. N. Pius divina Providentia Papa XI, in solita audientia R. P. D. Assessori S. Officii impertita, relata sibi Eñiorum Patrum resolutionem approbavit, confirmavit et publicandam mandavit.

Datum Romæ, ex aedibus S. Officii, die 19 maii 1922.

ALOISIUS CASTELLANO, *Supremæ S. C. S. Officii Notarius*.

THE SUBSTITUTION OF A MEDAL FOR THE LITTLE HABIT OR SCAPULAR OF THE THIRD ORDER OF ST. FRANCIS IS NOT ALLOWED, AND ANY FACULTY GRANTED FOR THAT PURPOSE IS WITHDRAWN

(March 25, 1922)

SACRA CONGREGATIO DE RELIGIOSIS

POSTULATUM CIRCA NUMISMA SUBSTITUENDUM PARVO HABITUI SEU SCAPULARI PRO TERTIO ORDINE S. FRANCISCI ET ALIIS

Cum pluries petitum fuerit ut, attentis praesertim quarundam regionum exigentiis, in commoditatem christifidelium Tertio Ordini saeculari Sancti Francisci et aliis nomen dare cupientium, facultas fieret commutandi parvum habitum seu scapulare eorumdem Tertiorum Ordinum in numisma ex aere confectum, piam aliquam imaginem proferens, cum omnibus iuribus, indulgentiis et privilegiis parvo habitui adnexis, haec Sacra Congregatio Negotiis Religiosorum Sodalium praeposita, re maturo examini subiecta, opportunum duxit Sanctissimo Domino Nostro Pio Div. Prov. PP. XI supplicare, ut auctoritate Apostolica dignaretur decernere quid agendum esset in casu.

Porro Sanctitas Sua, in Audientia concessa die 20 martii 1922 Rñio P. D. Secretario huius Sacrae Congregationis, omnibus perpensis, quoad expetitae facultatis concessionem annuendum haud esse censuit.

Considerans tamen quae Leo XIII fel. rec., in cap. III, § 6, Regulae Tertii Ordinis saecularis Sancti Francisci sancivit, scilicet: 'Si qua

huius capita legis quemquam servare causa gravis et iusta prohibeat, eum ex parte lege solvi, eademve capita commutari prudenter liceat. Cuius rei Praefecti Ordinarii Franciscalium et Primi Ordinis et Tertii, item Visitoribus, facultas potestasque sit,' voluit ut Superiores Tertii Ordinis saecularis Sancti Francisci, quoad Tertiarios suos, ea potestate utantur in singulis casibus, iusta gravique accedente causa, ad supramemoratam commutationem elargiendam.

Revocavit insuper, prout praesentis declarationis tenore revocat, quamlibet facultatem commutandi habitum cuiuscumque Tertii Ordinis saecularis in numisma, sive per Rescriptum sive per ipsam personam Summorum Pontificum in scriptis aut vivae vocis oraculo imperitam.

Contrariis non obstantibus quibuslibet.

Datum Romae, ex Secretaria Sacrae Congregationis Negotiis Religiosorum Sodalium praepositae, die 25 martii 1922.

TH. CARD. VALFRÉ DI BONZO, *Praefectus*.
L. ✠ S. MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

THE GOSPELS OF THE MISSAL WHICH ARE TO BE REGARDED AS 'STRICTLY PROPER' AND TO BE READ AS THE LAST GOSPEL OF THE MASS

(April 29, 1922)

SACRA CONGREGATIO RITUUM DECRETUM

DE EVANGELIIS STRICTE PROPRIIS IN FINE MISSAE LEGENDIS

Expostulatum est a Sacra Rituum Congregatione: 'Quaenam sint in Missali Romano, editionis typicae, Evangelia stricte propria in fine Missae legenda, iuxta novas eiusdem Missalis Rubricas Generales (tit. IX, n. 3).'¹

Et Sacra eadem Congregatio, audito specialis Commissionis suffragio, omnibus accurate perpensis, ita respondendum censuit:

I. Evangelia stricte propria habent sequentes Missae de Mysteriis, Festis seu Personis quae insigni dignitate pollent; nempe:

a) *Domini*, excepta Missa Dedicationis Ecclesiae, cum Evangelio: *Ingressus Iesus*;

b) *B. Mariae Virginis*, excepta Missa Assumptionis ipsius B.M.V., cum Evangelio: *Intravit Iesus in quoddam castellum*;

c) sanctorum Archangelorum et Angelorum Custodum;

d) sancti Ioannis Baptistae et sancti Ioseph, Sponsi B.M.V.;

e) sanctorum XII Apostolorum.

¹ *Additiones et variationes in Rubricis Missalis*, IX, 'De Evangelio in fine Missae,' 3. Denique, si nullum Dominicæ, Feriæ, Vigiliæ, aut alicuius ex Octavis supra, num. I, recensitis, Evangelium in fine Missae fuerit legendum, dicitur ultimum Evangelium Missae sive Officii, primo loco inter cetera quae Evangelium *strictè proprium* (et non appropriatum, vel ex aliquo Communi assignatum, vel per Octavam e Festo repetitum) habeant, commemorati.'

II. Item Evangelia strictae propria exhibent Missae Ss. Innocentium Mm., S. Mariae Magdalenae Poenitentis., S. Marthae Virg., Commemoratio Omnium Ss. Summorum Pontificum atque omnes Missae votivae quae in ipso Missali primo loco exstant; non vero Missae votivae *ad diversa* quae incipiunt a Missa *pro eligendo Summo Pontifice*, etc.

Atque ita rescripsit, declaravit ac decrevit. Die 29 aprilis 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

ALEXANDER VERDE, *Secretarius*.

THE WORKS OF ANATOLE FRANCE ARE PUT ON THE INDEX OF PROHIBITED BOOKS

(June 2, 1922)

SUPREMA SACRA CONGREGATIO S. OFFICII

DECRETUM

DAMNANTUR OPERA OMNIA SCRIPTORIS 'ANATOLE FRANCE'

Feria IV, die 31 maii 1922

In generali consessu Supremae S. Congregationis Sancti Officii, Eñi ac Rñi Dñi Cardinales in rebus fidei et morum Inquisitores Generales, prae habito DD. Consultorum voto, decreverunt: 'Opera omnia auctoris *Anatole France*, ad praescriptum Codicis I. C. can. 1399, 2°, 3°, 6°, 8°, 9°, prohiberi ipso iure, eaque in Indicem Librorum prohibitorum inserenda esse.'

Insequenti vero feria v, die 1 iunii eiusdem anni, Sanctissimus D. N. Pius divina providentia Papa XI, in solita audientia R. P. D. Assessori S. Officii impertita, relatum sibi Eñorum ac Rñorum Patrum resolutionem approbavit, confirmavit et publici iuris fieri praecepit.

Datum Romae, ex aedibus Sancti Officii, die 2 iunii 1922.

ALOISIUS CASTELLANO, *Supremae S. C. S. Off. Notarius*.

EXCOMMUNICATION OF PRIESTS PARTICIPATING IN A CERTAIN CONDEMNED ASSOCIATION IN CZECHOSLOVACHIA AND PROSCRIPTION OF ITS PERIODICAL 'IEDNOTA'

(June 14, 1922)

SUPREMA SACRA CONGREGATIO S. OFFICII

DECRETUM

INTIMATUR EXCOMMUNICATIO IN SACERDOTES ADHUC PARTICIPES DAMNATAE SOCIETATIS 'IEDNOTA' ATQUE PROSCRIBITUR EIUSDEM NOMINIS COMMENTARIUM PERIODICUM.

Quum certis auctoribus non sine gravi moerore Suprema haec Sacra Congregatio Sancti Officii, fidei morumque integritati tutandae praeposita, compererit praescriptiones contra schismaticam quorundam e Techoslovachia sacerdotum consociationem *Iednota* quae appellatur, iam

inde ab anno 1920 ab eius regionis Episcopis Editas et a Sede Apostolica (videsis *Acta Apost. Sedis*, vol. XII, pag. 57, n. I et pag. 585, n. II) probatas et confirmatas, in irritum cecidisse: ne in re tanti momenti suo muneri suisque partibus deesse videatur, illa sua edicta quibus memoratam consociationem reprobavit ac dissolvi iussit, impensius renovare iterumque confirmare cogitur, prout praesenti decreto renovat iterumque confirmat.

Sacerdotes igitur quotquot sunt qui dissolutae consociationis quomodocumque adhuc sint participes, nisi intra quindecim dies ab huius decreti promulgatione per Episcopos facienda computandos, a schismatico proposito resipiscentes, suorum Episcoporum ac Sedis Apostolicae mandatis plene atque absolute se subiecerint, excommunicationem Apostolicae Sedi reservatam ipso facto, absque alia declaratione, se incursum esse sciant; quatuor vero illi sacerdotes, qui consociationis eiusdem *praesidium* (quod vocant) constituunt, excommunicatione *nominatim* cum omnibus iuris effectibus, novo decreto insuper se mulctatum iri.

Hac ipsa occasione, periodicum commentarium, cui pariter titulus *Iednota*, haec eadem Suprema Sacra Congregatio omnino reprobatur, damnat ac proscribit, unaque simul excommunicationem Sedi Apostolicae speciali modo reservatam, in can. 2318 § 1 statutam, ad eiusdem commentarii editores, defendentes, legentes, ac retinentes, expresse extendit.

Sacrorum e Tchechoslovachia Antistites curae sibi habebunt hoc decretum, Ssñi D. N. D. Pii Pp. XI auctoritate confirmatum, in sacerdotum ad quos spectat, fideliumque sibi subiectorum notitiam, ut efficacissime in Domino videbitur, sine mora perferre; et quamprimum Sacram Congregationem de rei exitu certiores facere.

Datum Romae, ex aedibus Sancti Officii, die 14 iunii 1922.

ALOISIUS CASTELLANO, *Supremae S. C. S. Off. Notarius.*

LETTER FROM THE SACRED CONSISTORIAL CONGREGATION TO THE ARCHBISHOPS AND BISHOPS OF THE UNITED STATES NOTIFYING THEM OF THE COMING APOSTOLIC VISITATION

(June 14, 1922)

SACRA CONGREGATIO CONSISTORIALIS

AD EM.MOS ARCHIEPISCOPOS BOSTONENSEM ET PHILADELPHIENSEM ALIOSQUE
REV.MOS ARCHIEPISCOPOS, EPISCOPOS ET ORDINARIOS IN FOEDERATIS
STATIBUS AMERICAЕ: LITTERAE DE VISITATIONE APOSTOLICA MOX
FUTURA

Cum Ssñus Dominus Noster Pius Pp. XI his diebus decreverit ut visitatio apostolica fiat in dioecibus et Ecclesiis Statuum Foederatorum Americae, de mandato eiusdem Sanctitatis Suae, pro meo munere, hoc proprio omnibus Ordinariis dictae regionis nunciare. Haec cura Sanctitatis Suae erga Americae Ecclesias apprimè grata omnibus evadere debet, eo quod ostendit quanto studio et amore Summus Pontifex

oculos intendat in hanc catholicae Ecclesiae partem, quae adeo insignis est et in dies magis floret, ut idcirco maiore quotidie studio sit excollenda: sed vel magis grata erit cum ad hoc Visitoris Apostolici munus Sanctitas Sua elegerit Suum Delegatum R. P. D. Ioannem Bonzano, Archiepiscoporum Melitenensem, qui diuturna commoratione, rerum et personarum cognitione, animi rectitudine et in hanc rempublicam amore, notus et acceptus prae alio quolibet censendus est. Supervacaneum itaque esse videtur ipsum singulis Ordinariis commendare, quo facilius et expeditius ministerium suum adimplere valeat.

Omnia praeterea fausta ac felicia in Domino ominatus, impenso animo adprecor ut in novum et insigne rei religiosae augmentum haec visitatio cedat.

Datum Romae, ex aedibus Sacrae Congregationis Consistorialis, die 14 iunii 1922.

✠ C. CARD. DE LAI, Episc. Sabinen., *Secretarius*.
ALOISIUS SINCERO, *Adessor*.

L. ✠ S.

DECREE FOR THE BEATIFICATION AND CANONIZATION OF THE VENERABLE SERVANT OF GOD, PETER JULIAN EYMARD, FOUNDER OF THE CONGREGATION OF PRIESTS OF THE BLESSED SACRAMENT

(June 14, 1922)

SACRA CONGREGATIO RITUUM

GRATIANOPOLITANA SEU PARISIENSIS

BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVI DEI PETRI IULIANI
EYMARD, FUNDATORIS CONGREGATIONIS PRESBYTERORUM A SANCTISSIMO SACRAMENTO

SUPER DUBIO

An constet de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum; nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia eorumque adnexis, in gradu heroico, in casu et ad effectum, de quo agitur?

Apostolici huius decreti, quo approbantur et heroicae declarantur exercitate a venerabili Servo Dei Petro Iuliano Eymard virtutes, accommodum magis magisque cum peculiari Causae indole nexum et colligatum nullum equidem fieri excogitarique poterat exordium, quam ea in memoriam revocando, et ferme veluti ante oculos ponendo, quae hanc alma in Urbe tanto cum avitae pietatis tantoque cum christianae professionis uberrimo fructu peracta nuper fuerunt vigesimi sexi Eucharistici coetus internationalis sollemnia, aere perennioribus consignanda monumentis, quemadmodum cito probeque intelligit sibi que suasum habet, qui parumper attendat animoque revolvat, quis praefatis fuerit venerabilis Dei Famulus, quaeque eiusdem eminuerit praecipua sanctitatis nota.

Rem namque paullo altius repenti aliquid occurrit, quod silentio

haud est praetereundum, sedulo immo est perpendendum, quippe quo nobile continetur praesagium futurae sortis et muneris, quae, ut provisum a Deo erat, venerabilem Petrum Iulianum Eymard manebant. Sicut enim iudiciales enarrant tabulae, vel ante quam mortalem hanc ille ingrederetur vitam, coniugibus Eymard eiusmodi facta fuerat praedictio; videlicet iam prope eos suscepturos esse infantem, qui nedum genti suae singularem pareret gloriam, verum et, quodque longe maius religiosam conderet Familiam, quae Sanctissimi Sacramenti cultui provehendo et amplificando tota addicta foret planeque mancipata. Hanc autem vacuum nequaquam exstitisse vaticinationem, qui, a prima exorsi Servi Dei aetate, et per varia subinde eiusdem vitae stadia fuerant subsecuti, mirum in modum comprobaverunt eventus.

Inde propterea fit, ut cuncta, quae egit operatusque fuit venerabilis Petrus Iulianus, quoad inter homines est diversatus, qui naviter studioseque collegerit complexusque cogitatione fuerit, facere hic procul dubio nequeat, quin agnoscat et fateatur, quae, velut missio quaedam, a Deo credita sibi fuerat, eandem, tamquam vocationem suam mirabili constantia et fidelitate venerabilem Dei Famulum fuisse persecutum cumulateque adimplevisse.

Sed, ceu cuique prudenti viro, aequo iustoque rerum aestimatori statim facilique negotio apparet, haec recensuisse idem profecto fuit atque apta et idonea adinvenire, suppeditare et in medium proferre elementa, quibus optimo conficiatur iure, christianas a venerabili Servo Dei Petro Iuliano Eymard excultas virtutes gradum illum, quem heroicum appellant, fuisse adeptas.

Praeterea, quo prae nobili huic Causae integer suus constaret honos, id maxime curae fuit, ut quae motae ex adverso fuerant, eadem penitus everterentur difficultates, illaque inter eas nominatim, quae peculiarem quemdam respiciebat Servi Dei gestum, semel tantum ab eo admissum, ideoque a communi, constanti et perpetuo ab ipsomet servata agendi ratione insuetum prorsus atque alienum. Quapropter, tutissimis eisque notis satis satisque pervagatis adhibitis normis, quas hoc de loco communiter tradunt theologi; nec non cunctis bene perpensis pensitatisque facti circumstantiis, quantumvis nihil admodum erui exinde posset, quod eam quovis modo infirmare suoque e loco dimovere valeret—quae certo statuta solideque firmata iam fuerat positiva, atque, hoc ipso, potior—necessariam heroicarum virtutum demonstrationem, attamen, si, uti oportet, iuridicum inspicatur et expendatur fundamentum, quo praedicta superstruitur difficultas, difficultas ipsa, ubi consisteret, locum amplius non habet. Revera, quum unius solummodo et incerti testis dictis tota innitatur, tamquam iuridice probata eadem nequit haberi; eaque idcirco, perinde atque non existeret, existimanda est iudiciis, quippe qui, nonnisi iuxta acta et probata modo et forma a lege praescriptis suum proferre debent iudicium.

Huc igitur progressus quum sit sermo, promerita sibi laude solertes actuosique ornandi sunt actores; optima namque in re suum illi locarunt laborem, cum Parentis sui legiferi Beatificationis causam impigro erectoque animo apud Apostolicam Sedem promovendam curarunt;

eamque celeri potius secundoque cursu ad istam praecipuam, quae de heroicis virtutibus est, adduxerunt quaestionem, cuius cognitio, tribus de more disceptationibus, suum sortita est exitum in Congregatione generali, quae, die decima sexta superioris mensis maii, coram Sanctissimo Domino nostro Pio Papa XI coacta fuit. In qua a Reverendissimo Cardinali Antonio Vico, causae Relatore, sequens ad discutiendum propositum est dubium: *An constet de virtutibus theologalibus, Fide, Spe et Charitate in Deum et proximum; nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis venerabilis Servi Dei Petri Iuliani Eymard, in gradu heroico, in casu et ad effectum, de quo agitur?* Tum Reverendissimi Cardinales tum Patres Consultores proprias dixerunt sententias, quibus tamen laeto intentoque animo exceptis. Sanctissimus Dominus noster supremum Suum iudicium prorogandum duxit ut communibus fervidisque precibus, praesertim in proxime futuris Eucharisticis conventibus e proposito effundendis, divinae innotesceret significatio voluntatis. Quumque postmodum mentem Suam patefacere statuisset, hodiernam selegit diem Dominicam Sanctissimae Trinitatis; eapropter, Sacris devotissime operatus, ad Vaticanas aedes arcessiri iussit Reverendissimum Cardinalem Antonium Vico, Episcopum Portuensem et S. Rufinae, sacrae rituum Congregationi Praefectum causaeque Relatorem, una cum R. P. Angelo Mariani, Fidei Promotore generali, meque simul infrascripto Secretario, eiusque adstantibus, solemniter pronuntiabit: *Constare de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum; nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis venerabilis Servi Dei Petri Iuliani Eymard, in gradu heroico, in casu et ad effectum, de quo agitur.*

Hoc autem decretum publici iuris fieri, et in acta sacrorum rituum Congregationis referri mandavit tertio idus iunii, anno MCMXXII.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, Secretarius.

THE PRIVILEGES OF A REQUIEM MASS ON THE OCCASION OF THE TRANSFERENCE OF THE REMAINS FROM ONE SEPULCHRE TO ANOTHER

(June 16, 1922)

SACRA CONGREGATIO RITUUM

DUBIUM

CIRCA MISSAS DE REQUIE IN TRANSLATIONE CADAVERIS OLIM HUMATI

Expostulatum est a Sacrorum Rituum Congregatione :

‘Utrum Missa *de Requite*, quae celebratur in translatione cadaveris iam humati in definitivam sepulturam, gaudeat privilegiis Missae exsequialis *ut in die obitus seu depositionis*, quamvis exsequiale funus peractum fuerit occasione praecedentis sepulturae.’

Sacra porro Rituum Congregatio, audito specialis Commissionis suffragio, respondendum censuit: *Negative*, sed ad casum propositum eadem Sacra Congregatio extendit privilegia contenta in novis Rubricis Missalis tit. III, de *Missis defunctorum*, n. 6.

Atque ita rescripit, declaravit et indulsit. Die 16 iunii 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, *Secretarius*.

LETTER OF HIS HOLINESS TO THE ORDER OF DISCALCED CARMELITES ON THE OCCASION OF THE THIRD CEN- TENARY OF THE CANONIZATION OF ST. TERESA

(*March 31, 1922*)

AD R. P. LUCAM A MARIA SANCTISSIMA PRAEPOSITUM GENERALEM ET AD
UNIVERSUM ORDINEM FRATRUM CARMELITARUM EXCALCEATORUM: DE
HONORIBUS S. THERESIAE DECRETIS, TERTIO PLENO SAECULO EX QUO
IN ALBUM SANCTORUM EIUS NOMEN RELATUM EST

Dilecti filii, salutem et apostolicam benedictionem.—Quamquam haud sane, diu est, cum decessor Noster fel. rec. Pius X, datis ad vos litteris, Theresiam, legiferam Matrem vestram, amplissimo honestavit praeconio, tamen aliquid de eius laudibus attingere etiam Nobis videtur opportunum, non tam quia tertius annus saecularis adest, ex quo caelitum sanctorum honoribus aucta est—id enim una cum praestantissimis viris quatuor ei contigit—quam quia hunc ipsum in annum natalis trecentesimus incidit sacri Consilii christiano nomini propagando. Etenim in Theresia non solum singularis quaedam sapientia movet admirationem, sed etiam illud studium, quo incredibiliter ardebat, ut omnes, qui ubique essent, catholicae fidei expertes Ecclesiae sanctae sese adiungerent. Iam ab ineunte aetate hunc apostolicum ardorem ostendit, cum de paterna domo se clam subducens, Evangelii disseminandi aut martyrii pro Christo faciendi causa, in Africam traicere tentavit. Quod propositum si tunc peragere prohibita est, divinae Providentiae nutum licet agnoscere, eam in aliud tempus reservantis, quo pro Ecclesia multo uberius multoque felicius laboraret.—Profecto, quam Iesus Christus Ecclesiae pollicitus erat perpetuam praesentiam suam ad opitulandum, ea praeclare, si unquam alias, patuit sub lutheranae haeresis ortum; cum, qui novatorum impetum retunderent, non pauci sanctimonia et actione vitae mirabiles exstiterunt. In eo numero nobilem sibi locum Theresia vindicat; de qua in decessoris Nostri Gregorii XV gravissimis litteris ita scriptum legimus: ‘In diebus nostris fecit (Deus) salutem magnam in manu feminae; . . . quae excelsiora molienti, et

virtutem sexus animi magnitudine supergressa, accinxit fortitudine lumbos suos et roboravit brachium suum, et instruxit exercitus fortium, qui pro domo Dei Sabaoth et pro lege eius et pro mandatis eius armis spiritualibus decertarent' (*Bull. canoniz.*).

Scilicet, seraphico amore haec Deum diligens, nihilque toto pectore nisi Dei gloriam anhelans, omnino pati non poterat, aliqua ex parte regnum Christi coangustari, quod contra magis magisque per orbem terrae amplificari vehementissime cupiebat; eamque ob causam, Eliae spiritu, quo ipsa agebatur, cum alumnos disciplinae suae diligentissime imbuisset, eos contumaciae perfidiaeque haereticorum obiecit; cumque videret graves fidelium iacturas tamen fieri, eosdem suos filios ad quarendam infidelium salutem convertit, ut Ecclesiae detrimenta idoneis emolumentis compensarent. Interea mirificae cuiusdam opportunitatis subsidium evangelicis operariis comparavit, constituto apud omnia Carmelitidum asceteria *precum et paenitentiae* apostolatu, qui dicitur, quo sacratae virgines in apostolicos fratrum labores uberem de caelo opem devocare non cessant.

Itaque sapientissimae Matris hortatu praeceptisque conformati, non est mirum, si sodales Carmelitae in traducendis ad fidem barbaris alacres diligentesque in exemplum sese praestare instituerint; qui quidem demandatam sibi dominici agri partem ad excolendum multo sudore atque etiam suo ipsorum cruore, quotiescumque res postulavit, perfuderunt. Atque in hoc genere illud non silebimus, Carmelitarum excalceatorum consilia et studia non parum apud hanc Apostolicam Sedem valuisse, ut propriam Sacram Congregationem conderet catholicae fidei propagandae; quod Clementis VIII, Pauli V et Gregorii XV acta loquuntur.

Nos igitur hoc fausto Theresianae familiae tempore, dilecti filii, vestram domesticam laetitiam participantes, quam velimus ista, quae celebraturi estis, sacra saecularia magnum vobis afferant studii salutaris incrementum. Quare agite; sic seraphicae Matris sollemnem renovate memoriam, ut simul, eius et praescripta et exempla recolendo, quae ad Evangelii diffundendum lumen pertinent, animos vestros redintegretis. Item ex vestrorum recordatione maiorum qui, Theresiae repleti spiritu, in regionibus barbarorum non mediocri cum Ecclesiae utilitate desudarunt, hunc percipite fructum, ut ad sacras missiones eo vel impensius incumbatis. Ita cum sanctissimae Matri pergratum feceritis, tum vero summa Nostra vota, quantum, est in vobis expleveritis: siquidem nihil quicquam habemus antiquius, quam ut cum animarum tam immenso numero, quae in tenebris et umbra mortis sedent, lucem et vitam Christi Redemptoris communicemus.—Auspiciem divinorum munerum ac testem paternae benevolentiae Nostrae, tibi, dilecte fili, et universo isti, cui praece, Ordini apostolicam benedictionem amantissime impertimus.

Datum Romae apud Sanctum Petrum, die xxxi mensis martii anno mcmxxii, Pontificatus Nostri primo.

PIUS PP XI.

DOUBT REGARDING THE INTERPRETATION OF THE CONCESSION OF APOSTOLIC INDULGENCES GRANTED BY PIUS XI

(June 14, 1922)

SACRA POENITENTIARIA APOSTOLICA

DUBIUM

CIRCA INDULGENTIAS APOSTOLICAS, EAS NEMPE QUAS DEI 17 FEBRUARII 1922, SS.MUS D. N. PIUS PP. XI LARGIRI DIGNATUS EST

In canone 933 praescribitur uno eodemque opere, cui ex variis titulis Indulgentiae adnexae sint, non posse plures acquiri Indulgentias, 'nisi aliud expresse cautum fuerit.' Cum autem Indulgentiis Apostolicis a Ssño D. N. Pio Pp. XI die 17 februarii 1922 benigne impertitis praemittantur quaedam monita, quibus sub n. 4º edicitur, ex expressa declaratione eiusdem Ssñi Domini nostri, per Apostolicarum Indulgentiarum concessionem nullatenus derogari Indulgentiis a Summis Pontificibus iam alias concessis pro precibus, piis exercitiis vel operibus ibi recensitis; humillime quaeritur utrum per huiusmodi declarationem reipsa cautum sit, ad normam postremi incisi citati canonis 933, ut uno eodemque ex operibus in elencho Indulgentiarum Apostolicarum recensitis plures Indulgentiae respective acquiri possint?

S. Poenitentiaria Apostolica ad propositum dubium, die 9 maii 1922, respondendum censuit: *Affirmative, facto verbo cum Sanctissimo.*

Quod responsum, ab infrascripto Cardinali Poenitentiario Maiore in audientia diei 2 iunii praedicti anni, Ssño D. N. Pio Pp. XI relatum, eadem Sanctitas Sua benigne confirmavit, ac publici iuris fieri iussit.

Datum Romae, in Sacra Poenitentiaria Apostolica, die 14 iunii, anno 1922.

O. CARD. GIORGI, *Poenit. Maior.*S. FAGIOLO, *S. P. Secretarius.*

L. ✠ S.

REVIEWS AND NOTES

DIE IRISCHE HELDEN- UND KÖNIGSAGE bis zum siebzehnten Jahrhundert.
Von Rudolf Thurneysen. Teil I und II. Halle (Saale), Max Niemeyer. 1921.

THE saga literature of Ireland should be one of the glories of the nation. No country in Western Europe possesses a body of ancient tales and stories comparable to that which has come down to us in our ancient manuscripts. Neither Welsh nor Scandinavian romance, to mention two of the most remarkable, goes so far back in point of time or extends over so wide a field. The surviving literature of this kind in Ireland is varied and immense. Besides, much has been totally destroyed, while of many pieces we have now only the names, or the merest fragments, or bare summaries of their contents. The publishing of these remains has been in progress for about three-quarters of a century, roughly speaking, from 1850 to the present day. Eugene O'Curry edited the *Wasting Sickness of Cuchulainn* for *Atlantis*, the journal of the old Catholic University, and ever since the labours of Whitley Stokes and Kuno Meyer, and many others, have put us in possession of scores of texts which had lain unread in our manuscripts for centuries. The greatest of living Celtic scholars, Professor Rudolf Thurneysen, of the University of Bonn, undertook some time ago the task of making a complete survey and analysis of all these materials, and of entering on an investigation of the origin and interdependence of the tales and treatises which fall within the circle of saga or romance. The work under notice here forms a first instalment of his project, and discusses Irish saga in general, as also the various tales of the Cuchulainn or Ulidian cycle. It will be of service to readers to indicate in the briefest outline some of the features of this, the most valuable contribution to Irish studies during recent years.

Broadly speaking, Part I, which runs to 86 pages, is a discussion of the origin, transmission, and means of dating our old Irish tales. The earliest manuscript which preserved saga-texts was, as far as we now know, the Volume or Book of Druim Sneachta. This authority has long since perished, but many abstracts from it survive in manuscripts of later date, and testify by the forms of their language that already, in the first half of the eighth century, there existed a body of written sagalore. Thurneysen shows that this volume contained, among other materials, the tales of the Conception of Cuchulainn, the Words of Scathach, the Attack on the Fir Falchae, the Destruction of Bruidhean Ui Dearga, and the Wooing of Etain, all of the Ulidian cycle. The next earliest and most important testimony as to a body of hero-lore

in Irish dated from about the tenth century. It took the form of a list of tales, and is preserved in two redactions, the earlier of which has come down from about 1000 A.D., and the later is incorporated in the Book of Leinster. Having given an account of these, Professor Thurneysen goes on (chapters 8, 9) to discuss the contents of the famous *Leabhar na hUidhre* (LU), the earliest existing manuscript which has preserved matter of the kind we are concerned with, and dates from about 1100. Here the important discovery of R. I. Best, exhibiting the activity of an interpolator, referred to as H, is stressed and utilized. Next we have the Book of Leinster, which was compiled after 1150, containing the most striking piece of work of a redactor called C, who flourished in the first quarter of the twelfth century. Lastly, the *Dinnsheanchus*, in its three main recensions, the *Leabhar Gabhala*, the Colloquy of the Ancients, and the *Coir Anmann*, are approximately dated, and their significance in fixing the period of some of our sagas is appraised. Chapters on the manuscript D. iv. 2 (*circa* 1300), the Yellow Book of Lecan, the Book of Lecan, the Book of the Dean of Lismore, and Geoffrey Keating, bring the first part of the volume to a close.

The second part deals with the various tales of the Cuchulainn cycle. The principal of these is *Tain Bo Cuailgne*, known to us in three versions, the third of which is incomplete. The first is preserved in LU (part), the Yellow Book of Lecan (almost complete), and a British Museum manuscript numbered Egerton 1782. For the study of this first version, LU and its Interpolator (H) are of the highest importance. The Interpolator had before him a manuscript of the type of Egerton 1782. This type was already in existence in the early twelfth century. Also before this a Compiler had tried to fuse two parallel redactions of the story of the great raid on the province of Ulster by the forces of Connacht. This fusion was attempted not later than 1050.

The tracing of the activities of the author of version II of *Tain Bo Cuailgne* is one of the most brilliant achievements in this book. This redactor not only re-wrote the whole *Tain*, as we have it in the Book of Leinster, but also composed the *Battle of Ros na Riogh*, and revised the tale of the Intoxication of the Men of Ulster. Further, his style so fascinated his contemporaries that it became the model for future Irish prose down to the seventeenth century. A full analysis of versions I and II runs in our volume from page 119 to page 129.

Each of the surviving stories of the Ulster cycle is analysed in a series of eighty-four chapters. We shall only refer to one of the most important, which describes and comments on the tale of Bricriu's Feast (chapter 45). We read this fascinating story years ago, but we felt a longing to approach it again after studying Thurneysen's remarks on the different versions, pages 447-450. It appears the earliest recension of it went back to the eighth century. It is represented in LU, but here, as in the case of *Tain Bo Cuailgne*, the Interpolator was at work in the thirteenth century. Recension B (the second) was made with the intention of unifying the whole tale, and removing its doublets and contradictions. It is preserved in part in Egerton 93, and in a Leiden

manuscript of the sixteenth century. A further attempt to perfect the story is found in Trinity College manuscript H.3.17, also of the sixteenth century. Thurneysen characterizes Fled Bricrenn as one of the best Irish tales, and we owe the first edition of it to another German scholar, the late Professor Ernst Windisch, *Irische Texte*, i. 253 ff.

Thurneysen's book was published with the help of funds supplied by the Ministry of Education of Dail Eireann. Is it vain to hope that similar enterprises will be undertaken in the future, particularly in the case of the same scholar's still uncompleted studies?

PAUL WALSH.

A BOOK FOR ALTAR-SERVERS. By Rev. E. J. Quigley. Dublin : M. H. Gill & Son.

THIS little manual will be of great help not only to the server but to those also who desire to train servers properly. The Introduction shows what a privilege it is to be allowed to serve Mass. Then comes a chapter on how to prepare the altar and the vestments. Next are found the responses at Mass, with short Irish and English prayers interspersed for times when the server is not engaged in any duty. Practical instructions are subsequently given on how to serve at Holy Communion, at Benediction, and at Solemn Requiem Mass. At the end of the manual is the Phonetic pronunciation of the responses. We hope this little work will have a wide circulation, for an observance of the instructions it contains would greatly contribute to accuracy in the answering of Mass, and to decorum in the manner of the server. One point we should like to see corrected is the Rule given on page 27. The server should *genuflect*, not *bow*, when arriving at and leaving the centre of the altar, even though the Blessed Sacrament is not kept there (D., Nov. 16, 1906).

M.

THE HOME WORLD. By Rev. Francis X. Doyle, S.J. New York : Benziger Brothers.

IN *The Home World*, Father Doyle discourses in a bright American style on the importance and on the means of making the Home World happy and peaceful. The home is the centre of our influence; a solid and lasting home must have God as its rock and foundation, love and concord between husband and wife, with good example to their children, must be the bond of union; and faith must temper the transient pleasures and sorrows of life. That is the kernel of the work. There are a couple of exceptionally useful chapters on 'Consulting the Specialist' and 'Moral Courage,' which deal with the need of Confession and the will-power necessary to overcome repugnance. In nearly every chapter of the book, some apt incidents or passages from Scripture, or from the Fathers, or from modern authors, are quoted, and stories, grave and gay, serve to render the book entertaining as well as instructive.

D.

MEDITATION ON THE PASSION. London: Burns, Oates & Washbourne.

THIS large volume contains a series of Meditations on the Passion of Our Lord. It is the work of a Mistress of Novices, who for about thirty years laboured to inspire her subjects with a great love of Christ's sufferings. For some years the book has been in private circulation; but persons of influence who realized the value of the treasure have succeeded in having the work given to the public. An excellent introduction serves to impress on the reader the importance of meditating on the Passion, the love of the Saints for the Passion, and the method to be observed in meditating on the Passion. Father Reginald Walsh, O.P., in a short preface, expresses the hope, which we repeat, 'that the book may continue to be a help to advancement in the spiritual life, and become an abundant source of blessings to a still wider circle of readers.'

SHORT SERMONS ON THE EPISTLES AND GOSPELS. London: Burns, Oates, and Washbourne.

WITHIN the compass of an octavo volume of some 230 pages, Father Hickey gives us fifty-seven complete little discourses for the fifty-two Sundays of the year, plus the feasts of Good Friday, Ascension Day, SS. Peter and Paul, Assumption, and All Saints. The sermons are based on a text taken from the Epistle and Gospel of the Mass, and the points of the discourse are noted in a few lines under the text. Father Hickey's object is to provide busy priests with a course of sermons for the year. Each of the sermons could be preached as it stands in ten minutes or less.

A NINETEENTH-CENTURY MIRACLE: The Brothers Ratisbonne and the Congregation of Notre Dame de Sion. London: Burns, Oates, and Washbourne.

THE history of the Miraculous Medal has made the conversion of Alphonsus Ratisbonne familiar to most Catholics. Comparatively few, however, know anything about his subsequent life, and fewer still have heard even the name of Alphonsus' elder brother. Yet the life-story of Theodore is more remarkable than that of Alphonsus. In the present volume is given a detailed account of the family history of the two brothers, of their conversion and vocation, of their enthusiasm and hopes, of their untiring labours, and in particular of the establishment and spread of the Congregation of Notre Dame de Sion, founded by Theodore, in Paris, and introduced by Alphonsus into the Holy Land. *A Nineteenth-Century Miracle* is, indeed, a most interesting and edifying record of the lives of those two saintly brothers. The translation is so well done that it reads like an original work.

THE CREDENTIALS OF CHRISTIANITY. By Rev. Martin J. Scott, S.J.
London: Harding and Moore.

IN Ireland there is thank God, little if any, need for arguments to revive belief in Christ and His Church. The deluge is not yet. Not so elsewhere. In those countries, especially, where the spirit of Luther and Calvin and Henry VIII has prevailed, the light of Faith has, practically, sunk beneath the horizon of the people, and been followed by the twilight of doubt and the night of indifference and infidelity. Look beyond the Irish Sea and read the signs of the times. The fundamental doctrines of the Incarnation and Resurrection are openly questioned or denied by 'Christian' laymen and 'Christian' parsons; baptism is unregarded or disregarded; divorce is making a mockery of marriage; churches are deserted, and vices which were the result and the punishment of those 'who like not to have God for their knowledge' are again becoming the idols of a corrupt humanity. As it is with England, so is it with the other 'Reformation' countries. And the New World, peopled from the Old, has received and developed the seeds and the fruits of a like modern paganism.

Father Scott is therefore not beating the air when he publishes *The Credentials of Christianity*. In the thirteen chapters of the book he drives home, as only an able lecturer could, the arguments with which every priest is familiar in proof of the truth of the Christian faith. Father Arendzen, who writes an enthusiastic introduction, ably sums up the merits of Father Scott's work thus: 'This book is THE thing in the hands of lay folk, for it is a bright brilliant piece of work. Light in a sense, yet not unworthy; popular in a sense, yet not vulgar. The intensity of conviction in the writer has imparted a nervous power to his style and a persuasiveness to his words which few will be able to resist, and the Catholic reader will catch the infection of enthusiasm and again embody it in his own speech; the non-Catholic reader, however prejudiced perhaps, will hardly resist the ingenuousness and the force of the writer's able exposition.'

D.

8° MISSALE ROMANUM. Turonibus: Typis Alfredi Mame et Filiorum.

SOME months ago we directed attention to the larger editions of the New Missal published by Messrs. Mame & Sons of Tours. The same firm has now issued a smaller octavo edition of the Missal, on thin paper. The unbound copy of this edition, containing over 900 pages, is only about half the thickness of a volume of Lehmkuhl, while the type, in red and black, is excellent. The Masses for the feasts of the Holy Family and St. Irenæus, which were extended to the whole Church in October last, are given in their proper place. The other two lately-extended feasts of St. Gabriel and St. Raphael have a reference in the body of the Missal to the pages in the Appendix where the Masses are to be found. The new Irish Supplement, specially printed to suit the edition, is inserted

at the end. Those who desire a small Missal will find none more convenient or more complete than this edition of Messrs. Mame & Sons. It will be found very suitable for small chapels and oratories and for the studio; and we think that missionaries and all priests who have to carry their Missals with them will welcome this light portable Missal as a veritable boon. The price of this Missal varies according to the quality of the binding, from £1 8s.—style, black cloth, red edges—to £4—style, finest red Levant morocco, gold stamping, gilt edges.

D.

BOOKS, ETC., RECEIVED.

America: A Catholic Review (July).

The Ecclesiastical Review (July). U.S.A.

The Rosary Magazine (July). Somerset, Ohio.

The Catholic World (July). New York.

The Austral Light (June). Melbourne.

The Ave Maria (July). Notre Dame, Indiana.

The Catholic Bulletin (July). Dublin: M. H. Gill & Son, Ltd.

The Irish Monthly (July). Dublin: M. H. Gill & Son, Ltd.

The Month (July). London: Longmans.

Études (July). Paris: 12 Rue Oudinot (VII^e).

Revue Pratique d'Apologétique (July). Paris: Beauchesne.

The Fortnightly Review (July). St. Louis, Mo.

The Lamp (July). Garrison, N.Y.

Revue des Jeunes (July). Paris: 3 Rue de Luynes.

ὉἰἈ ὉἰἈβἈἰἰ Ἀἰἰἰ ὉἈὉἰἈ. 'ΣἡἡἈἰἈ' by Rev. G. O'Nolan, M.A., Maynooth. Dublin: The Educational Co. of Ireland.

'Benedictionale' seu *Ritus in Expositione et Benedictione SS^{mi} Sacramenti Servandus*. Cura Rev. J. B. O'Connell. Dublin: The Kenny Press.

AN IRISH PIONEER MISSIONARY

BY REV. MICHAEL BROSAN

IN so far as it concerns Canada, the story of the introduction and spread of Catholicity in British North America has been often and well told. The foundation of the Catholic Church in the great Dominion was well and truly laid by the French missionaries. The island of Newfoundland, however, which lies close to the American continent, received its Catholicity through Ireland. But here a distinction must be made. Towards the end of the eighteenth and opening of the last century hundreds of Irish families came and settled on the eastern coast of the island. They came mostly from Waterford and Wexford, and were attracted by the fisheries for which Newfoundland is famous. Along with immigrants from England they soon formed in the peninsula of Avalon an important and thriving community, which, in our day, has grown to be the city of St. John's, with its surrounding towns and villages. With the Irish came their priests and nuns.

Five hundred miles across the country, where the waters of the Gulf of St. Lawrence wash the western coast, conditions were very different. Even after the date when the island was granted self-government, few knew much of the west coast, and by a strange set of circumstances this vast territory was not brought under a reign of law. This peculiar position arose out of treaties entered into between the English and French Governments, according to the terms of which France enjoyed fishing rights on the western coast. Hence the name often applied to that portion of Newfoundland, 'the French Shore.' The French claimed that no permanent settlers could occupy this shore: those who did take the risk were merely tolerated.

The difficulties of administering justice under such

conditions can be easily imagined. As a consequence, the 'squatters,' as they were called, were left to live just as they pleased. They could not hope to get from the governors at St. John's those facilities for travel, education, etc., which make civilized life possible; thus, while the east of the island advanced, the west was, in the words of a by no means unfriendly visitor, 'a howling wilderness.'

Nevertheless, in spite of these disadvantages and prohibitions, many came from outside to settle on the French Shore. These people came, for the most part, from the Magdalen Islands, in the Gulf, and in the year 1850 the Catholics numbered two thousand souls.

Up to this date they were without a resident priest, and had to depend for spiritual succour on a chance priest visitor from Quebec diocese. Between 1850-68 a priest of that diocese, Père Belanger, ministered in Bay St. George. From his note-books it is clear that he had his jurisdiction from Dr. Mullock, the Bishop of Newfoundland. Little can be discovered to throw any light on the mission of this heroic man, but it is clear that he did not conceive the idea of exerting his influence beyond the locality where he resided beyond attending to calls when they came.

In 1868 the people, deprived of a priest by Père Belanger's death, and seeing no prospects of securing another, petitioned Dr. Mullock to secure one for them. The latter, after many unsuccessful appeals elsewhere, was at length successful in Arichat (now Antigonish diocese). In answer to an appeal from Bishop M'Kinnon on behalf of the spiritually destitute Catholics of West Newfoundland, Father Thomas Sears, P.P. of Port Mulgrave, near Canso, volunteered his services.

Thomas Sears, the real pioneer of West Newfoundland, from a spiritual and temporal point of view, was an Irishman by birth. He was born in 1824 at Ventry, Kerry. In the year 1829 he came, with his uncle William Sears, to Nova Scotia. His father, Garret Sears, did not come until several years later. They settled among the Highland

Scotch in the valley of Lochaber, in Antigonish county. Needless to say, Thomas and all the members of the family, like all Dingle folk, spoke Irish as their mother-tongue, and thus were able to converse and become good neighbours with the Scotch inhabitants, who to this day, in Nova Scotia, cling to the silvery speech their fathers knew.

While performing the ordinary labour of a farmer's son the young Irish boy fixed his aim higher than the vocation of a farmer. His was a holy ambition, fostered no doubt by the visiting priest, who, when making his rounds of the district, made the house of Garret Sears his temporary home. His temperament was, so we are told, highly religious, and though in these days education was secured only with great difficulty, he seems to have emerged from early manhood with a solid education. At the age of twenty-nine, after many years of prayer and effort, and the usual crop of disappointments, he was enabled to take the first step towards the fulfilment of his desire to become a priest. He was ordained in 1855, and is said to have been at this period in a very weak state of health.

In 1868, under the circumstances referred to above, Father Sears, then residing near Canso, came to hear of the religious condition of West Newfoundland. Portion of his Bishop's appeal is worth remembering. 'Dear Father Sears,—Bishop Mullock begs that you should have pity on the poor Catholics of the French Shore. It will certainly be a very trying circumstance for four or five thousand Catholics to spend the long and dreary winter without a priest. The missions on the French Shore constitute a noble field for the zeal of an apostle. . . .'

Such an appeal was not made in vain to a man who, among his colleagues, had already gained a reputation for more than ordinary sanctity, and with the same apostolic spirit which animated Peter and Andrew of old, 'when immediately leaving their nets they followed Him,' the parish priest of Port Mulgrave volunteered to go to the then unknown and distant mission, like another St. Paul, 'not knowing the things that may befall him there.' 'All

you require,' writes Bishop M'Kinnon, 'is a small trunk, a breviary, and a crucifix.'

Father Sears, in his diary, has left an account of his journey to the new mission field. 'It was late in the season, the end of October; but as if Providence would have it so, a vessel was found preparing to go to this very shore for a cargo of fish. So that in five days after the intimation of the project he (the missionary) was on board a vessel, and off for the new scene of his future labours, not indeed for the locality that petitioned, but for a place some hundred miles off. Hither, as if Providence wished to encourage the project, the vessel arrived the second day after leaving port, some three hundred miles, in the short space of forty hours, being really equal to steam-boat speed.'

He arrived in Newfoundland on November 2; but as his destination was Bay St. George, and having landed in Bay of Islands, he had to retrace his steps as best he could, finally reaching the home of the former priest on December 14. On his first arrival he looked around him like a trained missionary. The prospect was not encouraging, but he, supported by the Good Shepherd, was nevertheless hopeful as to the future. On November 27, three weeks after his arrival, he began his life-work by writing to Bishop Mullock of St. John's. In the course of the letter, while pointing out the natural wealth of the land and the fisheries, he gives us a clear idea of the difficulties of the situation.

For a moment let us pause to consider this man's courage and the magnitude of the task he has undertaken. With no previous knowledge of the place whither he is bound, he is on his way within five days of the receipt of the Bishop's appeal. One thing alone he knows, that it is a wild, unexplored region. His constitution for years has not been robust. No priest or even acquaintance waits to welcome him beyond and from their knowledge of the place guide his first efforts. The people are primitive; beyond their own ways, the world is unknown to most of them; they are hardly aware of the advent of the missionary. When he steps on shore he is a stranger and alone. An

old fisherman, eyeing the frail priest, indistinguishable as to avocation in his oil suit and sou'wester from his companions on board, asks him banteringly if he is after the fishery. The stranger replies, but with a meaning all his own, 'Yes.' 'What kind of nets have you?' 'St. Peter's.' The old man smiles and frowns. He knew this new arrival was a beginner. 'St. Pierre nets are too fine for here.' He had come to the conclusion the new man was a fisherman from the French island of St. Pierre.

He winds his way towards the settlement. Soon he has gathered round him the few Catholics of the place, and casting aside fear and loneliness, he is at work. Within a week plans are made for the erection of a new church, and within a fortnight his name is abroad in St. John's, for in a letter to the Bishop of that city he has announced his programme for the social and spiritual uplift of the unknown and neglected west. 'It would be most desirable that the government of St. John's should do something towards establishing some sort of civil authority and something for the cause of education in the west. . . . There are no roads, not even pathways. I hope the day is not far distant when some government will take charge of the place, and open roads from one locality to another, and then look after the interests of the poor people who are now at the mercy of the cupidity or caprice of heartless traders or merciless petty merchants.' This advocacy of the west, which as years went on might be more aptly termed agitation, never ceased till the voice of the heroic Irishman was stilled in death.

His journey to the domicile of the former missionary in St. George's Bay was difficult in the extreme. On his way he visited places never trod by a priest before. The vast majority of his congregation were of French-Canadian stock or birth, they formed a goodly number in the little settlement. Their neighbours were Jersey men, members of the Church of England. But a vast territory, depending on this one priest, lay beyond the mountains which hung round the beautiful Bay St. George. His scattered flock live in

the coves and creeks of a coast-line of five hundred miles. No roads connect the different settlements. The sea is the only easy means of intercommunication. But here again, two formidable difficulties presented themselves to the lonely priest.

Many suggest that, whereas there are no roads, it would be better to procure a yacht. Even did the limited resources of the place admit of such a luxury, the striking peculiarities of this portion of the Newfoundland coast render it impracticable, there being several hundred miles of our coast without a harbour, and our seas are so boisterous at the conflux of the Atlantic and the Gulf of St. Lawrence, that the greater portions of the coast where the people inhabit is unapproachable by a vessel. The only alternative is to go in an open boat. But, woe betide the traveller when a storm sets in. He cannot set out to sea in an open boat; if he is passing by that portion of the coast which is bordered by a line of cliffs which project from sixty to a hundred feet from the sea, his dangers are certainly appalling.

But the zealous priest had often to accept this alternative, going through the day from place to place in a little dory (what is called on the Kerry coast a canoe), landing on the beach at night, and sleeping under the up-turned boat. In the winter no travelling by sea is possible on this coast. The writer, from his desk, can see the long stretch of Bay St. George for nearly thirty miles. It is one unbroken sheet of ice. Inside the harbour men and horses, with sleigh loads of wood, are crossing from one point to another, but outside the bar the piled-up Arctic ice—huge boulders which no horse could negotiate—make navigation impossible, till the warm breath of Spring break it up. During this period a journey can only be undertaken on foot across country, using the Indian snow-shoe, for of course to plough through three or four feet of snow for any distance is physically impossible for even the strongest man. Here is an account of such a journey, in his own words:—

In that season of the year, when navigation is closed, there is no way of getting from one locality to another except over the mountains. The journey must be performed on snow-shoes. On the 21st of March, I left the Highland settlement about 6 a.m. Our way lay, first, through dense forests in ascending the Cape Anguille range of mountains. The snow was from five to six feet deep, but as there were several able young men in the company they beat the path pretty well, so that I had no

difficulty in getting along with a lighter sort of snow-shoes. On arriving on the summit we found that the snow which had been retained on the mountain top by the shrubbery was rendered as hard and as slippery as the most solid ice by the heavy winds of such an altitude, about 1,500 feet. . . . The passage was very dangerous in the event of a storm. There was no shrub or land-mark to point out the way, and no place to take shelter in.

The writer, out of curiosity perhaps, or for the sake of following the trail of the great old man, has trod part of this journey, and appreciated the danger of crossing a snow-covered plain with a storm imminent. Duty requires no such journeys now, as a rule, for below in the valley could be heard the snort of the 'iron horse,' defying the snow-drifts and indicating the onward march of civilization.

There were other difficulties, too, in the way of the missionary. Difficulties which were, perhaps, less easily overcome than those which the rugged climate and the absence of facilities of travel interposed. Difficulties which prevented the formation in the people of a spirit of uprightness and anxiety to labour. Again we will quote his own words :—

It often happens that the evangelizers of a people have to complain of the obstacles which the rulers of a country, or the peculiar political features which characterize it may cast in the way of the diffusion of Christian truth and religious practices ; but in this region we have to complain of the absence of all such. Not that the power of the sword or the sanction of the civil officer are necessary for the administration of religion. But as religion and civilization are inseparable in their mission of elevating the human family, the former cannot be got into efficient operation without the concurrence of the civil or political organization.

As has already been intimated, the people amongst whom he worked were under two flags, or rather, under none. Much as the rulers in St. John's might desire to administer the law, they hesitated doing so for fear of international complications. The territory in question was indeed a 'No Man's Land.' It is easy to infer the mode of life in such a place ; for, take the adventurous of various civilized communities, place them together without any restraining influences, and it is safe to say that civilization

will soon reach a low ebb among them. But in spite of all he advanced, as the following will show.

In the year 1870 Right Rev. Thomas Power, President of Clonliffe College, Dublin, was consecrated Bishop of St. John's in the church of the Irish College, Rome, by Cardinal Cullen. In the apostolic letters of his nomination it was announced that the territory in which Father Sears ministered was created a Prefecture Apostolic. In the meantime Father Sears had done much to introduce order into his vast mission. He had also been unremitting in his efforts to secure priest helpers to minister to his now growing flock. He was successful in securing funds for the erection of churches and schools; besides, he was surely though slowly securing the advantages of political representation for the people.

In 1881 Father Sears received the honour and title of Monsignor, with the dignity of Domestic Prelate, from Leo XIII. The mission which he had undertaken single-handed showed promise of a great future. Not content with the natural growth of the population, he was busy securing immigrants from Nova Scotia and elsewhere. He was even in communication with members of the Scotch Episcopacy for this same end at the time when the crofters in that country were in trouble. Parishes began to be formed, and more priests joined in the work. Along with this, he undertook to win from the Government, which had already, at his suggestion, established a magistracy, land grants for the new arrivals. From 1872, the year in which he secured political recognition for the French Shore, he devoted a great deal of his time to establishing a case for the construction of roads and even a line of railway. The old people tell how the Monsignor, in his rambles through the country, would predict that the day would come when the tall timbers of the valley would be penetrated by the railway. This was a foresight and not a dream. During this period his letters on public questions were frequent and always to the point. He knew his territory well. He knew the needs of his people. He was anxious for

development on proper lines. Consequently, anything that he thought could be reasonably asked for was pressed for, and lines of action with which he did not agree were severely criticized. He thus writes of a proposed land survey: 'The objectionable feature is this, viz., that an attempt is made to lay out the farms in our rough and mountainous country on the model of the great prairies of the West (of Canada). The system adopted there is to lay the country off in square blocks, based either on a parallel of longitude or on a meridian line. This, I admit, does well enough where the country is for hundreds of miles one level plain like the ocean. But the slightest reflection on the topographical formation of this country will reveal the absurdity of such a system being introduced into Newfoundland.'

His pen was busy during this time in pointing out the advantages which his territory held for immigrants. In fact, he had become a public figure. The name of the intrepid missionary was known throughout the land. Respected by all as a great citizen of his adopted country, he was loved especially by the poor people for whom he fought a most uncompromising series of engagements. He cannot, however, be spoken of as a politician; he ever held in odium the party hack. He demanded justice and fair play as a right.

The irreligious may scoff at the minister of religion, sometimes when grave questions involving principles are at stake, interfering and endeavouring as he should to direct the public mind in the right channel. It is true that when a question of a mere political nature agitates the public mind it is more dignified in the minister of religion to stand aloof. But in a place like this, when the absence of all civil order so impedes the material prosperity of the people as to arrest their moral and religious improvement, it will not be wondered at if the individual in spiritual charge raise his voice against the continuance of such a state any longer.

By the year 1882 he had accomplished a great deal. He was able to say that the people had now regular mail communications with the outside world. Roads and other appliances of civilization had been introduced. Several efficient schools were in operation. Seven new churches and parochial residences had been erected. In 1885, during

a visitation of his missions, the Monsignor contracted a serious chill. To regain his health he went to Maine, U.S.A. Feeling that death was approaching, he made a heroic attempt to return to his beloved Prefecture, to lay his bones among the people he had served so faithfully for sixteen years. He was overtaken by the hand of death before he reached home. Taken from the train in a dying state at Stellarton, N.S., he expired there, in the presbytery, on November 7, 1885, and was buried at Lochaber.

The Prefecture of these days is now a flourishing diocese. The howling wilderness has given place to neat homesteads. The forest primeval is now dotted with pasture and tillage lands, and a grateful people still recall the indomitable courage of the exile who made such possible.

Writing of Monsignor Sears, the late Bishop of St. George's said: 'At Lochaber there rests, far from the scenes of his dear mission, a great apostle and a noble man. There, too, rests a great pioneer of this Dominion, one whose devotion, sympathy, courage, intrepidity, and foresight had builded well the foundation of the splendid fabric of religion and civilization that rears itself proud and resplendent on the western coast to-day.'

MICHAEL BROSNAN.

A DIFFICULT PASSAGE IN THE EPISTLE FOR LOW SUNDAY

BY REV. T. E. BIRD, D.D.

I WONDER what that Epistle was all about,' remarked a gentleman on his way home from Mass one Sunday morning. 'Each time it has come round in the last few years I have noticed it as a puzzler! I meant to ask Father Tom about it; but I wonder whether he would give me an explanation offhand. He read it this morning as though he was in a bit of a fog himself!'

This was related to me some time ago; but I forget now which was the Epistle in question. It may have been the extract from Galatians, concerning Abraham and his seed—'not, and to his seed, as of many; but as of one'—and 'the law' and 'the promise'; or it may have been the Epistle for Sexagesima Sunday (for explaining part of which to a congregation of soldiers and civilians during the war, a priest was specially thanked by one of the soldiers in the sacristy after Mass). The passage, however, that we propose to consider in this paper is that read on Low Sunday, viz., 1 John v. 4-10. It reads as follows:—

Dearly beloved. Whatsoever is born of God overcometh the world. And this is the victory which overcometh the world, our faith. Who is he that overcometh the world, but he that believeth that Jesus is the Son of God? This is he that came by water and blood, Jesus Christ; not by water only, but by water and blood. And it is the spirit which testifieth that Christ is the truth. And there are three who give testimony in heaven; the Father, the Word, and the Holy Ghost: and these three are one. And there are three that give testimony on earth; the spirit, the water, and the blood: and these three are one. If we receive the testimony of men, the testimony of God is greater; for this is the testimony of God which is greater, because he hath testified of his Son. He that believeth in the Son of God, hath the testimony of God in himself.

There are several points of interest connected with this passage. We will treat of one in particular, viz., the

interpretation of what is said to be one of the most perplexing texts in the New Testament : ' This is he that came by water and blood, Jesus Christ ; not by water only, but by water and blood. And it is the spirit which testifieth that Christ is the truth.'

In the first place, what is meant by the Son of God *coming through* [so Greek] *water and blood* ? A dozen commentaries I have at hand tell me that the reference is to Christ's baptism in the Jordan and His death upon the Cross. How He ' came ' in that manner is not very clear. One modern writer says that the dignity of Jesus was *made manifest* at His baptism by the voice of the Father, and at His death by the cry of the soldier, *Vere Filius Dei erat iste* (Matt. xxvii. 54). This explanation is also given by some of the ancient commentators, with this variation, viz., that instead of the cry of the soldier, they favour the voice from heaven before the Passion : *Et clarificavi, et iterum clarificabo* (John xii. 28).¹ Other modern writers say that the ' coming through water and blood ' refers to the public life of Our Lord, which began with His baptism and closed with His death. As far as the baptism is concerned, there may be some support for this interpretation in the words of the Baptist : *He that shall come after me* (John i. 15, 27, 30) ; but it is difficult to see how this explains, *He that came . . . through blood*.

Now, when we look elsewhere in St. John's Gospel, we find that where there is mention of the Son of God ' coming,' the reference is to His advent into the world. We have only to examine the following passages : John i. 9,² 11 ; iii. 19, 31 ; vi. 14 ; vii. 27, 31 ; ix. 39 ; x. 10 ; xi. 27 ; xii. 46.

¹ See, e.g., Oecumenius, *P.G.*, t. 119, col. 677, and Theophylactus, t. 126, col. 60.

² In the Greek ' that cometh ' can agree either with ' Light ' or ' every man.' The Vulgate adopts the latter rendering, but in view of iii. 19 and xii. 46, it seems evident that the former is correct, viz., ' The Light that, coming into the world, enlighteneth every man.' For a discussion see Vander Heeren in *Collationes Brugenses*, t. xxi., pp. 9-13. Some writers are of opinion that verses 9-13 of the Prologue to the Gospel refer to the coming of the Son of God *before* the Incarnation, i.e., to the Jews in the Old Testament ; for, it is argued, the Incarnation is not mentioned in the Prologue till verse 14. This

In addition, there are many places where we read of the Son of God being 'sent' (John v. 24, 36, 37; vi. 29, 44, 58; xvii. 3, 8, 21, 23; 1 John iv. 9, 10, 14); and, as is well known, one of the Messianic titles was 'He-that-is-coming.'

When, therefore, St. John says that the Son of God 'came through water and blood,' he means first of all, that the Word was truly made Flesh; that He came into the world and took a real body. It is the *humanity* of Christ that is insisted upon in the text. Why, then, mention of 'water'? Why not 'blood' alone? The reason of this we shall see presently. Meanwhile the question arises, have we any further evidence that St. John is emphasizing the human nature of Christ? We have. The object of the Epistle bears out the conclusion we have formed. St. John is writing against certain antichrists 'that went out from us, but were not of us' (ii. 19). He brands them as seducers and false prophets: 'These things I have written to you concerning them that seduce you' (ii. 26); 'many false prophets are gone out into the world' (iv. 1). What was the false teaching? The answer is given in the fourth chapter. These seducers have a spirit that is not of God, because 'the spirit of God' is known in the profession of faith that Jesus Christ *is come in the flesh* (iv. 2). Unlike the Apostle, who is 'of God' and consequently has 'the spirit of truth,' these seducers have 'the spirit of error' (iv. 6). The same opponents are in view in the second Epistle, verse 7: 'Many seducers are gone into the world who confess not that Jesus Christ *is come in the flesh*. This is a seducer and an antichrist.'

Now, on what does St. John base his teaching that Jesus Christ is come in the flesh? The answer is in the sequel: (1) on what he saw and looked upon on Calvary

argument is not convincing; since John the Baptist is introduced in verses 6-8 as giving testimony of the Light—certainly *after* the Incarnation. The true explanation would seem to be that from verse 1 to verse 13 the Evangelist has before his mind the *divinity* of Christ; in verse 14 is introduced His *humanity*: in other words, first Christ as the Word, then Christ as the Word made Flesh.

when Christ's side was pierced; (2) on the testimony of the spirit of truth dwelling within him.

With regard to (1) we read from the Greek text: *Not by the water only but by the water and by the blood.* St. John is clearly referring to some definite 'water and blood.' Now we have only one other place in St. John's writings, and in the whole of the New Testament for that matter, where there is mention of certain blood and water. This is in the Gospel, xix. 33-35, where it is narrated how the soldiers seeing that Jesus was already dead, did not break His legs; but one of them opened His side with a lance, whereupon there flowed out blood and water. This incident St. John says he *saw*, and gives testimony of it, and his testimony is true; and he knows, says he, that his testimony is true; and he gives it that his readers may believe. It seems beyond question that the Apostle is referring to this passage in the Epistle; in which his method is to 'give testimony' of 'what we have seen with our eyes and looked upon' (i. 1, 2). But more emphasis is laid on 'the water and the blood' in the Epistle, and particularly on *the blood*. The Apostle insists on the latter: 'not' says he, 'by the water only but by the water *and by the blood.*' Why this emphasis on the blood? When we remember that the seducers, against whom St. John is writing this Epistle, were denying 'that Jesus Christ is come in the flesh,' we can see a reason for this emphasis. Some of the false teachers would seem to be docetics. Probably they got hold of the Evangelist's statement that at the piercing of Christ's side there came out blood and water, and made capital out of this, by suppressing the evidence as to the blood.¹

¹ Camerlynek (*Comment. in Epistolas Catholicas*), p. 232, and Plummer (*Epistles of St. John*), p. 158, both interpreting the text as referring to Christ's baptism and death, reject the reference to John xix. 34 first because of the different order of the words in the two passages: 'blood and water' in the Gospel, and 'water and blood' in the Epistle. But this change of order is sufficiently accounted for by the insistence in the Epistle on the *blood*. A change that is more difficult to explain is in the Epistle, where we have, in the first place '*through* (*διὰ*) water and blood,' and in the second, '*not by the* (*ἐν τῷ*, lit. *in the*) water only, but *by the water and by the blood.*' The article in

The text, therefore, in 1 John v. 6 insists on the real humanity of the Son of God who came in the flesh. St. John himself saw the blood and water flow from the pierced side of his Divine Master—proof enough of His human nature; and not water only, as some of the seducers have been saying, but water and *blood*.

There is, then, no reference in the text to Christ's baptism in the Jordan. Nor does the literal meaning refer to the Sacraments of Baptism and Holy Eucharist, as some have supposed. The best commentary on the text is the prayer we say at Mass, as we mix water with the wine, because, among other reasons, 'e latere ejus *aqua simul cum sanguine* exierit' (Conc. Trid., Sess. xxii. cap. vii.), and which reads as follows: 'Deus, qui humane substantie dignitatem mirabiliter condidisti, et mirabilius reformasti: da nobis per hujus aquae et vini mysterium, ejus divinitatis esse consortes, *qui humanitatis nostrae fieri dignatus est particeps, Jesus Christus, Filius tuus Dominus noster.*'

(2) We now seek an explanation of the word 'spirit' in the text. The 'Douay' reads, 'And it is the spirit which testifieth that Christ is the truth'; but commentators are agreed that the Greek text is to be preferred here. So we correct to, 'And it is the spirit which testifieth, because the spirit is the truth.' Now, who is 'the spirit' here? Is it the *Holy Ghost*, that hovered over Our Lord at His baptism? Some have thought so; but there seems but little probability in their opinion. Others, with far more likelihood, say that the 'spirit' here is *the soul of Christ*; as we read in John xix. 30: 'And bowing His head, He gave up His *spirit* (pneuma).' If this is the case, the spirit the water and the blood in the Epistle (verse 8) mean Christ's soul and body, i.e., His human nature on the

the second case indicates that reference is made to water and blood mentioned elsewhere, i.e., according to our interpretation, in John xix. 34. The preposition in the first case denotes the medium by which Christ came; in the second case the thrice repeated *ἐν* (the 'maid-of-all-work preposition' in Koine Greek) is probably instrumental. In Wisdom vii. 2 we find *ἐν αἵματι* in the passage describing man taking on flesh in his mother's womb.

Cross. This is the interpretation given by St. Augustine, Cassiodorus, and the *Glossa Ordinaria*, from each of which we also learn the true explanation of verse 6 in the Epistle, as we have given above. St. Augustine writes (*Contra Maximinum*, lib. ii. c. xxii. 3¹): 'Tria itaque novimus de corpore Domini exisse cum penderet in ligno; primo, spiritum; unde scriptum est: Et inclinato capite tradidit spiritum. Deinde, quando latus ejus lancea perforatum est, sanguinem et aquam.' He is commenting on the text in the Epistle. Cassiodorus, in his explanation of the Epistle, comments briefly on the verse with the remark: 'Aqua, sanguis, et spiritus, quae in passione Domini leguntur impleta'; where evidently the 'spirit' is the soul of our Saviour mentioned in John xix. 30.² The *Glossa Ordinaria* is more explicit: '*Spiritus*, id est, anima quam emisit in passione: *aqua et sanguis*, quae fluxerunt de latere. Hoc fieri non posset, si veram carnis naturam non haberet. . . . Quoniam tres sunt. Per hoc apparet quod Jesus est veritas, verus Deus, verus homo. Et de utroque habemus certum testimonium: de Deitate quidem per Patrem et Filium et Spiritum Sanctum: de humanitate per animam, aquam, et sanguinem.'³ With this agrees Bishop Challoner's note in our 'Douay' Bible: '*The spirit and the water and the blood*. As the Father, the Word, and the Holy Ghost, all bear witness to Christ's divinity; so the *spirit*, which He yielded up, crying out with a loud voice upon the cross; and the *water* and *blood* that issued from His side, bear witness to His humanity and *are one*; that is, all agree in one testimony'; though with some inconsistency his note on verse 6 reads: '*Came by water and blood*. Not only to wash away our sins by the *water* of baptism, but by His own *blood*.'

Now, with due respect to these interpretations, we may ask ourselves, is it really likely that St. John meant, 'And it is the soul of Christ which testifieth, because the soul of Christ is the truth'? If the soul of Christ bearing witness refers to Christ crying out with a loud voice upon the

¹ P.L., t. 42, col. 795.² P.L., t. 70, col. 1375.³ P.L., t. 114, col. 702.

Cross, it is rather strange that this incident in the Passion is not recorded by St. John in his Gospel. The Epistle is a companion-document with the Gospel; and the one interprets the other; but while the loud cry is mentioned by the Synoptics (Matt. xxvii. 50; Mark xv. 37; Luke xxiii. 46), it finds no place in the Fourth Gospel. Is it possible, then, that the 'spirit' in 1 John v. 6, 8, has another meaning?

We have seen above that the blood and water in the Gospel is parallel to the water and blood in the Epistle. After mentioning the fact, the Gospel continues: 'And he that saw it hath *given testimony*, and his testimony is *true*. And *he knoweth that he saith true*: that you also may believe.' In the Epistle after the water and blood are spoken of, we read: 'And it is the spirit which *giveth testimony*, because the spirit is the *truth*.' A similar passage is found in the Epilogue of the Gospel: 'This is that disciple who *giveth testimony* of these things, and hath written these things; and *we know that his testimony is true*' (xxi. 24); to which we can put as a parallel the twelfth verse of the third Epistle: 'Yea, and *we also give testimony*, and *thou knowest that our testimony is true*.' Other passages that deserve notice are 1 John i. 1, 2: 'That which . . . we have *seen* with our eyes, which we have looked upon . . . we *give testimony*'; and iv. 13, 14: 'In this we know that we abide in Him, and He in us: because He hath given us of His spirit. And we have *seen* and *give testimony* that the Father hath sent His Son to be the Saviour of the world.' Now in five out of these six passages it is clear that St. John is the one giving testimony, and whose testimony is true. The question arises then, whether the 'spirit' in the sixth case is, *not* the Holy Ghost at the baptism of Our Lord, *nor* the Holy Ghost working miracles (as some have said), *nor* the soul of Christ on the Cross, but the Holy Spirit *indwelling in St. John* and speaking through him. We turn to the Gospel to interpret the Epistle. In xv. 26, 27, Our Lord promises to send the Paraclete, 'the Spirit of truth,' who 'shall *give testimony*

of Me,' after which the Apostles 'shall *give testimony*' because they were with Christ from the beginning. Here the Apostles are to give testimony after they have received the Spirit of truth. Turning back to the Epistle, we read at the end of chapter iii. : 'And in this we know that He abideth in us by the Spirit which He hath given us.' Chapter iv. opens with a warning against spirits of error opposed to the Spirit of God ; then, in verse 6, St. John says of himself : 'We are of God' ; and, speaking of his authority as an apostle and teacher, adds : 'He that knoweth God heareth us. He that is not of God heareth us not' (cf. Matt. x. 40 ; Luke x. 16 ; John xiii. 20). 'By this,' says he, 'we know *the spirit of truth and the spirit of error.*' Later in the same chapter (vv. 13, 14) we have the words already given above : 'In this we know that we abide in Him, and He in us ; because He has given us of His *spirit*. And we have *seen* and do *testify*,' etc. When, therefore, we come to the next chapter and read of 'the *spirit* which *testifieth*, because the *spirit* is the *truth*,' we conclude that it is St. John himself who is bearing witness through the Holy Spirit dwelling within him. Hence there are three that bear witness that Christ is come in the flesh, viz., the water and blood which the Apostle saw flow from the side of Christ, and the Spirit of truth which, abiding within the Apostle, speaks through him. These three, taken together, yield united testimony to the truth against the false teaching of the seducers.

We have space for only few words on the verses that follow in the Epistle. The text of the Three Heavenly Witnesses does not concern us here. It is said that the supposed interpolation may find no place in the revised Vulgate.¹

The Epistle continues : 'If we receive the testimony of men, the testimony of God is greater.' There is again a parallel in the Gospel. The Pharisees say to Our Lord : 'Thou givest testimony of thyself. Thy testimony is not true ;' and He answers : 'Although I give testimony of myself, my testimony is true : for I know whence I

¹ Manganot, in *Revue pratique d'Apologétique*, t. vi. p. 38 (1908).

came. . . . And if I do judge, my judgment is true : because I am not alone, but I and the Father that sent me. And in your law it is written that the testimony of two men is true. I am one that give testimony of myself : and the Father that sent me giveth testimony of me' (viii. 13-18). If, says Our Lord, the evidence of two men is accepted to establish truth, how much more the evidence of God. So St. John in the Epistle. But what is meant there by the next sentence : 'For this is the testimony of God, which is greater, because He hath testified of His Son'? Where are we to look for this testimony of the Father? It may be that given by the Father at Christ's Baptism and Transfiguration (cf. John v. 37). It may be the testimony afforded by miracles : 'the works which the Father hath given me to perfect, the works themselves which I do, give testimony of me, that the Father hath sent me' (John v. 36). But from the Epistle itself one is inclined to conclude that the testimony of God referred to here is, though perhaps not exclusively, the conviction of faith coming from the indwelling of the Godhead in the believer, whereby is excluded all doubt from the soul already living eternal life. For the Epistle continues : 'He that believeth in the Son hath the testimony in himself. . . . And this is the testimony, that God hath given to us eternal life, and this life is in His Son. He that hath the Son hath the life. He that hath not the Son hath not the life.'¹

T. E. BIRD.

¹ It may be worth while pointing out that St. Paul has similar passages, e.g., Rom. viii. 16 : 'For the Spirit himself giveth testimony with our spirit that we are the children of God'; Gal. iv. 6 : 'And because you are sons, God hath sent the Spirit of his Son into your hearts, crying, Abba, Father.' Indeed, against modern rationalists, we may say without hesitation that there is nothing in St. John's writings for which we cannot find a clue in the earlier writings of the New Testament. In the Synoptics we get a peep at how often our blessed Lord must have spoken about the supernatural life when we suddenly meet the rich ruler, who asks : 'Good Master, what must I do that I may have *eternal life*?' (Matt. xix. 16; Mark x. 17; Luke xviii. 18). Evidently the man had so often heard Our Lord preaching about the necessity of this supernatural life. This preaching is recorded *ex professo* in the Fourth Gospel, which might be called 'Christ's Teaching *de gratia sanctificanti*' for both the Gospel (xx. 31) and the Epistle (v. 13) were written that the readers might have sanctifying grace, which is the '*eternal life*' of the soul.

THE LAST REFUGE-PLACE OF THE VEN. DERMOT O'HURLEY, D.D.

(MARTYRED ARCHBISHOP OF CASHEL)

CARRICK-ON-SUIR CASTLE

By J. B. CULLEN

CARRICK-ON-SUIR is one of the most picturesquely situated of the inland towns of Ireland. From its position on the confines of Kilkenny, Tipperary, and Waterford, and commanding an extensive agricultural district at either side of the river, it was in former times a centre of considerable commerce, and famous for its woollen mills, tanneries, and other industries. Like so many of the river-side towns of Ireland, Carrick owes its origin to an ancient monastery established on its site by the Celtic monks at a very remote period. It is probable this religious settlement was a monastic school, round which students gathered in a sort of encampment, and where, later on, the people gradually built their homes, anxious to share the advantages which the monasteries afforded, as the chief seats of moral and intellectual culture, as well as of social progress and civilization. As time went on the constitutions of the primitive religious bodies were merged into those of the Canons Regular of St. Augustine, whose rule came to be generally adopted throughout Ireland in the eleventh and twelfth centuries. And so with the Irish monastery of Carrick.

When Munster came under the sway of the Anglo-Norman invaders and its lands were parcelled out among the adventurers who took part in the enterprise, Carrick became part of the possessions allotted to Theobald le Boutillier, chief steward (cup-bearer) to Henry II. He was the founder of the noble family of Ormonde—so long identified

with the chequered history of Ireland. It may be interesting to recall in passing that he was nephew of the illustrious Thomas à Beckett, the martyred Archbishop of Canterbury. His grandson, Edmond Butler, in the year 1309, built a castle in that portion of the present town, lying on the opposite side of the Suir (known as Carrick-beg), which his son, who was created Earl of Ormonde, afterwards granted to the Franciscans, whose friary he founded on the site, in 1338. At the close of the twelfth century the priory of the Canons Regular was rebuilt and endowed by William de Cantelupe,¹ whose ancestor had acquired some lands in the neighbourhood of Carrick at the time of the English Invasion. This foundation existed until the Protestant Reformation.

On the Dissolution of religious houses, Piers Butler, eighth Earl of Ormonde, came in for a large share of Church property, lying in his ancestral district and elsewhere, among which were the belongings of the Priory of Carrick-on-Suir, Holy Cross Abbey, and the conventual houses of New Ross. At the time this nobleman was in high favour at the Court of Henry VIII. By that monarch he was appointed Lord Deputy, and later Lord Treasurer of Ireland. So intimate and friendly were the relations existing between the King and the Earl, that the latter, at the special request of Henry, surrendered the earldom of Ormonde to Sir Thomas Boleyn (brother of the ill-fated Queen), in lieu whereof he was created Earl of Ossory. However, on the death of Boleyn, in 1537, the earldom was restored to its original holder. On the death of Ormonde (1539) he was succeeded by his son James, whose loyalty to the English Government was apparently not so trustful as that of his father, and owing to suspicions in this respect, the unfortunate nobleman was poisoned at a supper in Ely House, London, 1546. To make sure of the loyalty of his son Thomas, on whom the titles and estates of Ormonde devolved, as tenth Earl, when he was but fourteen years old he was sent to London and brought

¹ 'Cantwell' is the form of surname used now—still to be met with in Co. Tipperary.

up at the English Court with the avowed intention of alienating his sympathies from Ireland. From his dark complexion he came to be styled 'Black Thomas,' by which he was commonly known in the history of the period. During the successive reigns of Edward VI, Philip and Mary, Elizabeth, and a decade of that of James I, this fortunate courtier may be said to have basked in the sunshine of royal favour.

'Black Thomas,' tenth Earl of Ormonde, the favourite of Elizabeth, was the builder of the castle, or rather the mansion, of Carrick-on-Suir, within whose walls the unfortunate Dermot O'Hurley, Archbishop of Cashel, found refuge, concealment, and hospitality in the troubled days of his brief episcopate, which ended on the scaffold.

Dermot O'Hurley, who was a native of the Co. Limerick, was born in the year 1519, in a small village about three miles from the city. As he grew up he was remarkable for brilliant talents, but perhaps more so for his fervent piety and holiness—virtues that were fostered by his worthy parents, whose constant thought was to bring up their children in the ways of sinlessness and purity. When the time came for choosing his future career in life, after mature consideration he decided on entering the ecclesiastical state. The impending troubles of the Protestant Reformation were already beginning to cast their foreboding shadows over Ireland. On this account it was deemed advisable that the young student should seek admission into some of the continental colleges or universities, to pursue his studies. For many considerations the University of Louvain was selected. Here Dermot O'Hurley read a distinguished course, and obtained the degree of Doctor of Theology and Canon Law. Later, he became Professor of both these sacred sciences at Lille and Rheims, whose colleges at the time held foremost rank as centres of Catholic education.

The best of Dr. O'Hurley's years was spent on the Continent, since he had long passed the meridian of life when he was called upon to return to his afflicted country,

and to bear his cross on the path of sorrow, suffering, and death. During a visit to Rome, whither he had gone to visit the shrines of the apostles and martyrs, Pope Gregory XIII, filled with admiration for his splendid talents, learning, and sanctity, at a Consistory held on the 11th of September, 1581, appointed Dr. O'Hurley to the then vacant see of Cashel, and on the 27th of the following month he was consecrated, receiving the archiepiscopal *pallium* from the hands of the Holy Father himself. Some months later the Archbishop set out on his journey to Ireland. Passing through France he stopped at Rheims, where he was a welcome guest among the professors with whom he had been so long associated. Whilst there he contracted an illness which prevented the continuation of his journey till the month of September, 1582.

Owing to the fierce persecutions that raged against Irish Catholics at the time—for it was the twenty-fifth year of Elizabeth's reign—on arriving at Brittany, the Archbishop, with his chaplain, Father Dillon, disguised themselves, resolving to await the opportunity of securing a passage in some trading vessel chartered for Ireland. After some time two vessels called for orders at the port of Corsie, where the two ecclesiastics were patiently waiting. One of the crafts hailed from Wexford, and to the captain Dr. O'Hurley confided the Bulls of his consecration, documents and anything valuable he carried in his baggage, in order to avoid detection or suspicion. The other vessel was chartered for Drogheda. On the latter the Archbishop and his companion arranged for their passage across the seas. After a favourable voyage they duly reached the Irish coast, and for greater privacy disembarked on the Island of Skerries off Drogheda. Thence, as soon as possible, both set out on foot for Waterford for the purpose of meeting the captain of the Wexford vessel, which was bound for that port. The object of this journey was to secure the papers and other belongings of the Archbishop, but, alas! when he arrived he was informed the vessel had been held up at sea for examination, and the unfortunate

captain seized, the Archbishop's documents found in his possession being subsequently used as evidence of treason against him in Dublin Castle.

At Waterford, Father Dillon, Dr. O'Hurley's chaplain, whose elder brother was a Privy Councillor, was recognized by a government official, and cast into prison. It was only through the influence of his relative that, after a long captivity, he happily escaped death.

The Archbishop, however, eluded the agents of the Government, who were now on his track. Making his way by night, he bent his steps in the direction of Drogheda, near which town, on his arrival in Ireland, he had first landed. After a perilous journey he reached the banks of the river Boyne, at Slane, where he presented himself at the castle, which was then occupied by Thomas Fleming, nineteenth Baron of Slane, whose family never forsook the Catholic faith. He was received kindly by this nobleman and his wife, who placed an apartment at his disposal in a secluded part of the house, for his greater safety and concealment.

All honour and hospitality was afforded the saintly prelate for a considerable time. By some hapless accident (unnecessary to dwell upon here) his whereabouts became known to the agents of the Government, and, in order to save his host from the penalties then in force against those who sheltered Catholic priests, the Archbishop left the castle secretly in disguise. After a succession of vicissitudes, travelling by circuitous routes, he eventually reached the Cistercian Abbey of Holy Cross, Co. Tipperary—which thus became the scene of his first sad entry into his archdiocese.

Here it may be interesting to remark, in advance of our narrative, that in this abbey, though one of the greater monasteries suppressed by Henry VIII in 1536, the Divine ministrations continued to be exercised until the year 1632, when the abbey was abandoned by the few members remaining of its last community. It was then almost a hundred years after the commencement of the Reformation. The exception and remarkable privilege the monks of Holy

Cross were suffered to enjoy may be explained. It will be remembered in the opening part of this essay we stated this monastery and its appurtenances were part of the Church property granted by Henry VIII to the head of the Ormonde family, whose successive representatives remained true to the Catholic faith till the middle of the seventeenth century. Apparently, through their influence, Divine worship continued to be practised without hindrance in the conventual houses they had acquired. At the time of which we write the ownership of Holy Cross was vested in 'Black Thomas,' tenth Earl of Ormonde, to whom the original grant was confirmed by his admirer, Queen Elizabeth.

But to return. The seclusion of the abbey did not avail to conceal the fugitive Archbishop, who had suddenly to fly to Carrick, where he craved the protection of Ormonde. The latter, who during his long connexion with the English Court seemed ostensibly a Protestant, still extended patronage and friendship towards the co-religionists of his early days. The Archbishop was not mistaken in his hopes, for the Earl received him kindly, and welcomed him with all sincerity. All the respect and veneration due to his rank was bestowed on the fugitive prelate by his noble host. But, alas! for the treachery of human hearts. The Lord of Slane who, a little before, had befriended the unfortunate Archbishop under his own roof, was, from time to time, kept informed of his whereabouts. Being strongly suspected of harbouring priests he was threatened with all the penalties of the existing laws unless he avowed his complicity in treasonable practices. In a weak moment, terror-stricken, and perhaps fearing the confiscation of his estates, the Baron not only divulged the hiding-place of his former guest, but actually undertook to personally accompany the body of soldiers sent to arrest him at the Castle of Carrick-on-Suir. The illustrious prisoner was then conducted on foot to Dublin, being allowed to break his journey only at Kilkenny City.

It is needless for our purpose to dwell on the untold

sufferings which the enemies of the Catholic faith inflicted on their victim. For nine long weary months the illustrious prisoner lay in the dungeon of Dublin Castle. During that time every worldly bribe was held out to him in the hopes of inducing him to renounce his allegiance to the Church of his forefathers. Tortures of the most revolting description were then resorted to—but they availed not to shake the heroic martyr's constancy.

In the chronicles of Stanihurst, a contemporary writer, well acquainted with the officials of Dublin Castle, we find, after the account of the death of the Archbishop of Armagh—Oliver Plunket, who suffered in 1681—the following passage: 'The Archbishop of Cashel met a still harder fate. . . . The executioners placed the prisoner's feet in tin boots, filled with oil. Then they clasped his legs in stocks, and placed fire under them. The boiling oil was so penetrating that morsels of the flesh fell off and left the bones of his limbs bare.' The officer whose duty it was to see the torture carried out, sickening at the inhuman spectacle, left his seat in shame and disgust. But the patient sufferer flinched not—for the Christian martyr's palm and crown were already in sight. The warrant for the execution of Dr. O'Hurley was signed by Adam Loftus, Protestant Archbishop of Dublin, and Sir Henry Wallop, on the 29th of June (Feast of SS. Peter and Paul), 1584. On his way to the place of execution, the Archbishop seized the hand of one of the few faithful ones who upheld his innocence and stood by him till the end, and with that last clasp of friendship, it is told, he left the crimson mark of a cross on the palm of his friend—a mark that could never afterwards be effaced. His martyrdom took place at three o'clock on the morning of June 30, 1584. The final scene of his martyrdom was in St. Stephen's Green, which, however, extended at that time over a much larger area than it covers now. The spot where the gallows was erected is said to have been where Fitzwilliam Street crosses Baggot Street.

After the execution, although the body of the martyr, as a criminal in the eyes of the law, was to have rested in

a felon's grave, it was secured by an influential citizen of Dublin, who provided the best casket available for the precious remains, and had them decently interred in with half-ruined church of St. Kevin.

To resume the story of Carrick-on-Suir mansion, with which one of the chief themes of our sketch is associated. The so-called castle belongs to the period of history in which, among other remarkable changes in the ways of men and customs, a complete revolution may be said to have taken place in the construction and style of domestic buildings. Hitherto, kings and the great feudal lords of the Middle Ages lived amid very gloomy surroundings indeed. Every palace was a fortress, every nobleman's dwelling a frowning castle. Down almost to the time of the Stuarts, the residences of the better classes were those fortified houses whose remains are plentifully scattered over many of our Irish landscapes, and are dignified with the name of castles. Personal protection and military defence were the chief objects aimed at by the builders of those times.

With the invention of gunpowder (first used in Ireland at the siege of Maynooth Castle, 1534) and its subsequent adoption in the appliances of war, the old methods of defence became worthless—the days of the fortified dwellings, the use of the cross-bow, battle-axe, and the service of the mail-clad knight came to an end. Within a brief period two extremes in the way of domestic architecture seem to have met. The gloomy dwellings of the past were speedily abandoned for structures bright and airy, artistically designed and luxuriously appointed, as we may gather from many of the great houses that sprang up in England, chiefly in the reign of the last of the Tudors. The tiny slits that formerly lighted the baron's hall now gave place to broad casements and oriel bays—hence the old rhyme of the famous palace built by Bess of Hardwick :

Haddon Hall,
More glass than wall.

In this seeming digression from the subject of our

sketch we have touched upon those few items of social history for the sake of recalling that it was in this period of architectural change that the Manor House of Carrick was erected. Dating from the sixth of Elizabeth's reign, the time when, we may assume, the style of building to which her name characteristically applied was in its first freshness of popularity, this structure must have been unique of its kind in Ireland. Moreover, we may read from its walls that it was intended, in great measure, to commemorate the sentimental sympathies that existed between the maiden monarch and her Irish courtier. The frescoes that once adorned the hall displayed their portraits—again in the decorations with which the ceilings and friezes of the state-rooms are covered, the monogram 'E.R.' is introduced in almost endless repetition. In visiting the deserted mansion now, one is forced to conjure up curious fancies, and form vain conjectures as to the enthusiasm that sought expression in those fulsome effusions of art. As a courtier 'Black Thomas' steered through the perilous waters of 'the summer sea of glory' more successfully than Raleigh or Essex, since apparently Elizabeth's friendship towards him never waned. The last mark of favour to him was a large grant of confiscated lands in Munster, in the very year before her death, which her Majesty further supplemented by a pension of £40 per annum.

During the whole period of Ormonde's official connexion with his native country, he threw the weight of his influence on the side of Ireland, and, as far as he could, he endeavoured to act as a mediator between the native race and their English rulers. Having entered into friendly relations with Sussex, the Lord Deputy, he was sworn a Privy Councillor in 1559, and further appointed Lord Treasurer in the same year. He never hesitated to openly avow his strong Irish sympathies, and advocated a policy of tolerance and conciliation, but, unhappily, he was fettered in his action.

Neither were his efforts to put an end to the long-standing differences between his own family and that of the Desmonds successful. By his mother, Lady Joan Fitzgerald,

daughter of the eleventh Earl of Desmond, Ormonde was closely related to the then head of the house of Desmond, which he hoped would have enabled him to assuage the old feelings of animosity, perpetuated through successive generations of the rival houses. In this he was, however, disappointed.

That Ormonde ever abandoned the Faith of his ancestors, or accepted the tenets of the reformed religion, openly, seems doubtful ; his kindly acts on behalf of the persecuted Catholics prove that, in his heart, the impressions and traditions of his youth were never effaced. The last years of his life were spent in Carrick-on-Suir. Father Barnaby Kearney,¹ a priest of the Society of Jesus, who laboured for thirty-seven years in Ireland, in the face of manifold difficulties and dangers, during the days of persecution, attended the Earl of Ormonde in his last illness, and reconciled him to the Catholic faith. Perhaps the heavenly intercession of the martyred prelate, O'Hurley, whom he had befriended in the days of his misfortune, secured the grace of repentance for the dying nobleman. Thus, '*charity covereth a multitude of sins!*' His confessor, Father Kearney, left in manuscript an account of his death. Ormonde survived his royal patron, Elizabeth, eleven years, having died November, 1614, at the age of eighty-two. On the death of the 'Black Earl'—as he left no issue, the Ormonde titles and estates devolved on Walter, son of his brother, John Butler of Kilcash. He resided at Carrick Castle, and, we may remark, he was the last Catholic representative of the Ormonde title. On account of his great piety and continual practices of prayer, he was known as 'Walter of the Rosaries.' By him, too, it may be remarked, the famous relic of the True Cross that belonged to the Abbey of Holy Cross was preserved, and under his will was kept in safe custody by trustees, '*till such time as the Catholic religion would be restored as it heretofore was.*' The Ursuline Convent, Cork, being the first house of a religious Order formally established in

¹ He was brother of Dr. David Kearney, Archbishop of Cashel.

Ireland after the Reformation, the sacred relic was, by its last custodian, deposited there in 1801—where it still remains.

Walter, eleventh Earl of Ormonde, died at Carrick, February, 1632. His son, Thomas Viscount Thurles, having been drowned at sea, the title descended to his grandson, twelfth earl and first Duke of Ormonde. The latter being a minor, at the time of his grandfather's death, under the Penal enactment, known as the 'Court of Wards,' was placed under the tutelage of the Archbishop of Canterbury, for the purpose of being brought up in the Protestant faith. He occasionally dwelt at Carrick-on-Suir. It was here, too, he was apprised of the rising of 1641, when Charles I appointed him Lieutenant-General of the Royalist army in Ireland.

After this period the mansion ceased to be a chief residence of the Ormonde family. The restoration and improvements begun then and carried on through subsequent years in Kilkenny Castle led to its being permanently occupied as the family seat in Ireland. Though lone and deserted now, enough remains to tell of the bygone splendour of the old Tudor mansion by the banks of the 'gentle Suir.' It takes little effort of imagination to people its forsaken walls with the figures of the illustrious personages who once dwelt within them—the 'Black Earl,' the fugitive prelate, O'Hurley, 'Walter of the Rosaries,' all come back on memory's historic stage!

Record of other men and days,
 The Autumn leaf around thee falls;
 The wailing breeze of Autumn strays
 Amid thy ruined walls!
 A loftier pile I oft have seen,
 With stately front, and hoary towers,
 But not more pensively, I ween,
 Through spacious hall, and fretted bowers,
 I've paced, than pace I here,
 Sad symbol of the waning year!

J. B. CULLEN.

ON KNOWLEDGE OF THE DIVINE PURPOSE IN THE ADMINISTRATION OF THE WORLD

A STUDY IN ECCLESIASTES

BY REV. J. H. POWER, O.P.

THE Book of Ecclesiastes occupies an unique place in the Divine literature of the Old Testament. The general prominence it assigns to Wisdom, and the sapiential tone it adopts in discussing its subject have placed it amongst the Wisdom books. In outlook and structure, however, it is very unlike the books with which it is classed. Few books have been the subject of more adverse criticism. Judged by isolated passages, considered apart from their context, Ecclesiastes has been credited with all the false principles of a purely pagan philosophy, Stoic, Epicurean, and Cynic. His work has been hailed as a poem of pessimism. It has been styled the 'Song of Scepticism.' We may conclude from the very fact that the book has been received into the canon of Sacred Scripture, that it merits no such condemnation. At most, it may be fairly termed critical in the most praiseworthy sense of the word from its outlook on, and treatment of, one of the most perplexing problems presented to the religious mind under the Old Dispensation.

But not only is the Book of Ecclesiastes unique in structure and tone, it is also original from a doctrinal standpoint. The attitude Ecclesiastes assumes towards his problem, the remarkable precision with which he seizes on the points of opposition between accepted doctrine and fact, the clearness of his criticism of religious tenets assailed since the time of Jeremias, the definite direction he gives

Old Testament teaching towards New Testament revelation, place his book in a position apart. Its rôle in the development of the doctrine of Retribution cannot be over-estimated. It definitely advances from a traditional teaching weighed and found wanting, and it establishes a line of demarcation which leaves a clear doctrinal horizon for the development on Christian lines of the dogma of Eternal Retribution. Its essential idea is already Christian, although its practical conclusions are far from Gospel perfection. For while Ecclesiastes does not demonstrate the existence of future retribution, he has established one of the premises which render such a conclusion necessary, namely, the insufficiency of earthly sanction as evinced by the all-pervading 'vanity' of created things.

Humanly speaking, the motive that moved Ecclesiastes to write is not far to seek. In the first place, there was the grave dogmatic problem. Not less serious was the state of intellectual doubt, and moral laxity, especially noticeable amongst the young men which Ecclesiastes attributes to this uncertainty of the issue of life. He himself states in general that his aim in writing his meditations had been to communicate his wisdom to others (xii. 9, 10). Analysis of his work goes to show that this earnest desire sprang from a mind painfully conscious of the dissatisfying and disappointing nature of things of life, viewed apart from God. The Law inculcated only a temporal sanction, reward solely for the just, punishment reserved for the sinner. Experience proved that not only did the just man often go without his reward on earth, but that he was often visited by trials and miseries due only to sin, while meantime the evil-doer flourished. Around him, Ecclesiastes saw many of the more religiously-minded of his fellow-men suffering from the perplexity engendered by these anomalies apparent in the moral government of the world. A sincere and deep sympathy with all such would naturally induce him to share the fruits of his ripe experience and meditations. Beyond the desire to throw light on this difficult question which overshadowed the religious thought and life of his

time, there is also evident an earnest desire to restrain young men from those licentious courses to which such a narrow outlook on the apparent imperfection of Divine sanction might impel them. Youth of every age, even with the fear of eternal retribution before its eyes, is only too prone to adopt the conclusion referred to by St. Paul as the logical consequence of a denial of the Resurrection: 'Let us eat and drink : to-morrow/ we die.' It is easy, then, to conceive how dissipated life might become under the penalty of the weak sanction decreed by the Law, which was proved, moreover, by experience, to admit of many unjustifiable exceptions.

The author was evidently a man of deep faith in God ; of a vast and varied personal experience in worldly affairs, accurate in his observation of men and things. The book fairly reflects the mind of the man. It reveals no second-hand information. We are presented with the picture of a religious mind turning away from all things earthly—the good and evil, the joys and sorrows of life—as transitory judgments, unworthy of God's eternal, infinite justice, and insufficient as the goal of man's moral endeavour, and bidding us await, in the peaceful and sinless enjoyment of the present gifts of God, a clearer manifestation of adequate retribution. The attitude and conviction of the author forcibly compel the reader to realize the relative worthlessness of created things, while indirectly it opens up a vista of eternal life and hope.

In the general outlines of the Book of Ecclesiastes a resemblance to the form of St. Paul's Epistles has been noted. On a cursory perusal it is evident that the first part is chiefly contemplative, and the latter practical. Personal practical advice, enriched by a copious collection of maxims, reflections, and exhortations, succeeds a detailed analysis of the difficulty put forward for consideration, and its provisional solution. Yet the author follows no preconceived plan. His thoughts are written down in the order in which they occur to him. As a result, the literary form is not perfect. Unity of purpose is not always evident.

The argument is seldom developed systematically. The reader is sometimes at a loss to establish the connexion of thought, while the subject is often changed abruptly. In a word, the book is not the fruit of an uninterrupted meditation, but the record of the accumulated experience of a lifetime, set down with the vividness of an actual observer. Nevertheless, the book as a whole, in spite of apparent digressions, centres round the problem of the mysteries of the Divine administration. And having considered the value of earthly things as a judgment of God on man's devices, it concludes with a safe detailed rule of life for the believer in any event. It is well to note that Ecclesiastes wrote, in the first place, for the wise, and supposes many matters already discussed in their assemblies.

In the two opening sentences, Ecclesiastes states his subject, and the problem suggested by it. 'Vanity of vanities, and all is vanity. What hath a man more of all his labour that he taketh under the sun?' The first brief sentence, which is a conclusion drawn from experience, is repeated towards the end of the book, as the sum of knowledge which life had brought him. The second contains the problem forced upon him by reflection. It is phrased in an interrogative form as suggesting the problem, and is closely and logically connected with the first. For it is the 'vanity' or transitory nature of earthly things that creates the problem of human recompense, as, generally speaking, it points the way to a solution. Unsatisfying as the object of man's desires, the things of the world are found to be still more inadequate as a sufficient sanction of God's laws, and a full manifestation of His retributive justice. Hence, of their very nature, they seem to demand a more perfect judgment. It is important then to understand this word 'vanity,' which is used so often in this book. Primarily signifying 'breath' or 'light wind,' the Hebrew word 'Hebel' is transferred to mean everything that is transitory and passes quickly and completely away, leaving either no result or no adequate result behind, and consequently fails to satisfy man's mind, which looks for

something permanent and sufficient. Ecclesiastes applies the word indifferently to all earthly works : to pleasures, riches, and power ; to unsatisfied desires, to possessions un-enjoyed, to man's life on earth at every stage, childhood, youth, and length of days—even to wisdom itself—but perhaps most of all to the apparent anomalies in God's moral government of the world. It is clear that the wise man is not concerned with the mere objective value or goodness of created things from an ontological point of view. It is their relative worth in the moral order he wishes taken into account as the aim and reward of human effort and devices. While setting himself to review all things that are done under the sun, Ecclesiastes, therefore, regards them mainly as judgments of God. He looks on the whole changing order of things as a temporary Divine judgment in process of execution. If the inequality of human things calls for comment, it is in relation to a final pronouncement from the Most High. Things in themselves altogether most vain are surrounded with a certain mystery by the possible purpose of Him in whose hands they are. Ecclesiastes criticizes human aims and systems ; but he can offer no satisfactory explanation of their importance in the whole scheme of God's Providence. He pronounces the reason of even God's visible judgments incomprehensible, and of His future and final judgments unsearchable.

He claims the authority of a great name to sponsor his wisdom. Speaking in the person of the Wisest King, he proceeds to survey the different fields of human activity, in order to demonstrate the futility of man's endeavour in each. He first casts his eye over the domain of nature, and notes the continued efforts after new effects—change on change with a recurring sameness. Such, too, is man's labour in general, achieving nothing new or permanent. The first two chapters are a continued reflection on the vanity pervading all things human. His quest for happiness in any form had met in every case with failure. The pursuit of wisdom had proved disappointing. The acquisition of knowledge had only added to his perplexities, and

brought home to him all the more clearly the anomalies of human society. In the succeeding chapter mention is made of an external law or sanction—the Will of God—to which human affairs are subject. God's plan, incomprehensible in its extent, is seen by all to be more or less in conflict with the will of man, to whom it is but partially known. Hence, Ecclesiastes sees man's efforts to secure success liable to unexpected failure. In society generally he perceives only trouble and disappointment. Man adds to the misery of his fellow-man by unnecessary tyranny, and to his own by sloth and isolation. There (v.–vii.) follows a series of moral maxims, to which is appended a mixture of reflections and exhortations, in which the vanity of riches is emphasized, and the practical superiority of wisdom commended. In chapters viii.–ix. 10, the chief anomalies of life are set forth, Ecclesiastes formulates his problem, suggests a provisional solution, and concludes with a practical rule of life.

This section is the heart of the whole book. It takes the form of a dialogue or altercation between Ecclesiastes, who speaks as if prompted by a spirit of scepticism, and another, who replies to his objections. Ecclesiastes opens with a question which sets forth the difficulty of the problem he has set himself to solve. 'Who is as the wise man? And who hath known the resolution of the word?' (vii. 30). As a prelude to the discussion, Ecclesiastes, speaking in a very human fashion, counsels obedience to kings for motives of human prudence (vi. 4). The verses which follow seem to contain a correction of his opinions, as already stated—a retractation, inspired by earlier Jewish teaching, on the reward of the just and the punishment of the wicked in this life. If it is not Ecclesiastes himself who speaks by way of noting an objection to his previous criticism, the words form part of a dialogue with some nameless opponent of his views. The latter asserts in effect that punishment is never inflicted except for sin. 'He that keepeth the commandment, shall find no evil.' Moreover, for every evil device of man, there is a time

appointed when he will be brought to judgment by God. The evil a man does always threatens to bring imminent punishment on his head. The sinner is held in salutary suspension as to the result of his evil deeds, for there is no one to tell him what may come to pass in his regard. Hence he lives in constant fear of retribution which may overtake him at any moment and unexpectedly cut him short in his wicked career. He may ward off other evils, but when death comes, the last inevitable evil, he has no power to bid his spirit stay, or to reject or defy his doom. Hence he is never at peace, unlike the just man who experiences no trouble of conscience. To this objection, which magnifies God's justice in dealing with the wicked in this life, Ecclesiastes replies in the opposite sense. He asserts that this difficulty has already had his fullest consideration. He had carefully reviewed the whole course of worldly justice. Even those who gave an exact obedience to rule were sometimes unjustly treated by the ruler. Moreover, he had seen the wicked exalted in life, as if they had done the works of the just. They had even dared to pass in and out of the terrible Holy Place—God's Presence Chamber—and no evil had befallen them. Hence, he concludes that there is no certain punishment definitely apportioned to the wicked on earth. They are praised by men during life; they go to their graves in peace. That the wicked should thus receive the deserts of the just, constitutes in Ecclesiastes' opinion, one of the two great anomalies in the moral government of the world. The two succeeding verses (vii. 13) contain the reply to Ecclesiastes' argument. The reason why men prosper in their wicked ways, and are filled with the desire of committing evil deeds, is because sentence is not immediately pronounced against them. But God's verdict can wait. Of one thing we can rest assured: that the God-fearing shall reap their reward, and that, no matter how long God's patience bears with the sinner, punishment shall finally overtake him. To this Ecclesiastes replies (vii. 15), citing in his opinion the great anomaly of all. Not only are the wicked blessed with the reward of the

just in this life, but—greater scandal still—the just man's lot is often only the adversity that should follow iniquity. This anomaly is too great and evident to admit of explanation, and closes the way to further discussion. Accordingly, Ecclesiastes concludes that we should not be too pre-occupied in vainly seeking the reason for God's judgments which are done under the sun. Since we cannot discover the Divine intention, and rule our lives by it, it is far better to enjoy the goods God gives with an easy conscience. We labour in vain in scrutinizing God's administration. No human wisdom can penetrate the mysteries of God's intentions, and no labour of man can assign the reason of the Divine plan. The greater man's study, the more obscure the problem of Providence becomes.

In chapter ix. Ecclesiastes proceeds to explain the real import of the foregoing discussion. So far his whole study had been to solve this difficulty: that the just man and his works were under the special direction and influence of God, and still he does not know whether to expect from God in future love or hatred, i.e., adversity or prosperity as the outward tokens of Divine favour or displeasure. The just man is left in a state of uncertainty as to whether his justice will bear the future fruits of prosperity it ought normally to bear. There is no reference here to eternal predestination: it is a question of the issue of life. Ecclesiastes contemplates man in his justice looking into an uncertain earthly future, full of doubt, in spite of his conscious well-doing, as to the measure God may deal him. The cause of this anxiety is the astonishing spectacle of righteous men oppressed while the wicked prosper. God scatters His temporal favours with an indifferent hand. Hence our slight knowledge of the ways of Providence throws no light on the future lot of man. Daily experience confounds our foresight. In practice, this unequal distribution of temporal favours and deferring of sentence against the wicked has this great evil result—the evil-doer lives his life without qualms of conscience, meets his end tranquilly, and departs to Sheol in peace. The reason is

that, while he is counted amongst the living, the wicked man lives confidently on account of the uncertainty of retribution. Death, which ends all, holds no terrors for him; for in death, where there is 'neither work, nor reason, nor wisdom, nor knowledge,' he has no further evil to fear. It is important to note Ecclesiastes' concept of the existence of the soul in Sheol. Though he confesses his belief in God's justice and a future judgment, and, in one of the highest flights of his inspiration, declares the return of the soul to God, he does not proceed to deduce from these truths the part the soul will play in God's scheme of retribution. He is concerned only with that part of God's judgment fulfilled in this world. He freely admits his inability to explain its apparent anomalies, at least in so far as a consideration of human affairs may enlighten us. A repetition of the same practical conclusion of the preceding chapter brings Ecclesiastes' enquiry to a close.

We are now in a position to formulate Ecclesiastes' problem. For him all worldly things are transitory and insufficient. Yet, as far as man can see, it is through the distribution of such 'vanities' that God's law is vindicated 'under the sun.' (Received doctrine admitted a sanction stopping short in this life.) Did this distribution correspond to man's merits the human mind might rest partially content. But daily experience shows, firstly, that this dispensation of favours is unequal; and, secondly, that it is apparently made with complete indifference to the deserts of the recipient. Ecclesiastes has failed to find that union between perfect goodness and temporal happiness which was regarded by the masters of Israel, not merely as the ordinary and normal, but as the invariable result of the Divine government of the world. The openly sinful abound—the just are very often in want. This much Ecclesiastes' experience, which coincides with the general experience of mankind, had taught him. He merely notes the potent opposition between doctrine and fact. The obvious question arises: Is the measure of God's justice in man's regard fulfilled in the course of man's earthly

years? Are the temporal promises of the Law sufficient to explain and exhaust Divine retribution? Do the so-called good things of life spell God's favour, and life's ills Divine reprobation? Do the anomalies we witness indicate the final balancing of God's accounts, or rather point to a judgment deferred? Has human wisdom no solution of this great practical difficulty to console the religious conscience, troubled by conclusions of its own experience? In a word: What is the value of the received sanction of God's Law? Is the actual administration of the world recompense enough for the fidelity of the just, or curb adequate to restrain evil? It is the enduring mystery of life in its relation to retribution, temporal and transitory, or all-sufficient and eternal. Reduced to a single formula, it may be summed up thus: What is the relative value of created things, considered in their distribution as judgments or awards of God, as a sanction of the moral law? It is precisely this problem of worldly affliction and blessedness in relation to human virtue or vice that Ecclesiastes himself puts before us when introducing his subject: 'What profit hath a man of all his labour wherein he toileth under the sun?' It is equivalent to asking if life, as we know it, holds the reward of human endeavour. And if created things, considered in their relation to human activity, are found insufficient, can they be said to constitute a staple sanction for the Law? The tone in which the question is put already implies a negative answer.

The conclusions reached by Ecclesiastes through his criticism fall under four heads. Firstly, relative to human activity, all things are transitory. This want of permanency and stability negatives man's labours, and leaves his desires unsatisfied. Secondly, broadly speaking, the good and evil of life is distributed independently of human merit. Consequently it is no indication of how man stands in God's estimation. Hence, not even a wise man can assign a satisfactory explanation of the things which are constantly occurring 'under the sun'—God's present judgments—still less can he forecast God's future designs, even

in this life. Thirdly, weighed in the balance of judgment, worldly things are too transitory in themselves to constitute a sufficient sanction relative to God's justice. We may, therefore, expect a fuller judgment. Finally, that the full measure of God's judgment is unknown to man, who cannot even give an account of the working out of God's plan on earth. For as Ecclesiastes does not doubt the fact that all earthly things and courses are vain and transitory, there is another fact he holds with equal firmness by way of contrast: that the world was made and is governed by a God of goodness, justice, and power to repay. For the present, God has hidden His intentions with regard to judgment from mankind. In as far as He often allows the good to suffer and the wicked to prosper, it is impossible to form a definite idea of the real course of Divine justice. Ecclesiastes does not attempt to hide his ignorance of God's perfect plan, even while he looks for such a revelation from Him in whose hands he sees all things. In a word, the present moral order, which leaves so much to be desired in permanency and uniformity, is no adequate vindication of God's perfect justice, and demands a final settlement. While temporal recompense, such as it is, falls short of the exigencies of a Divine sanction, and of man's lawful desires, the clear prospect of eternal reward had not yet dawned for Ecclesiastes.

To understand Ecclesiastes' doctrinal position, it is necessary to recall Old Testament teaching on the subject of Divine retribution. The Law speaks only of God's justice in as far as it is fulfilled in this life, by the bestowal of temporal goods and the infliction of temporary evils. It is true that Divine favours are coupled with calmness of conscience, and a peace of mind which only God's friends enjoy. But these blessings are always the highest reward of virtue, and the sure sign that the recipient is in favour with God. This concept appears also in the Psalms and in the other Wisdom books generally. In the imprecatory Psalms, as a result of this belief, we find the Psalmist complaining to God of the persecutions he suffers without

cause, while at the same time all went well with the wicked, who despised God's Law. This was a serious occasion of scandal for the just of the Old Dispensation, who faithfully kept the Commandments. It was a great and practical difficulty for all who wished to observe the Law, to see the temporal staple sanction withheld in conspicuously deserving cases, and God's friends afflicted so unjustly. To solve the problem, they had recourse to a delay of God's justice. In the end God was certain to reward goodness even in this life. The Books of Job and Tobias centre round this consoling theme. Ecclesiastes reopens the original difficulty. He piles illustration on illustration to bring out all the disturbing force of his argument, and shows that such a view fails to do justice to the working of Providence. The drift of his argument is to show that, throughout life, 'all things happen equally to the just and unjust.' He assumes the duty of critic of the received doctrine, and declares it insufficient to calm the perplexity of souls. Nevertheless, he insists that God is just, and that all things are in His Hand. How that justice is to be carried out remains to be seen, because man cannot explain satisfactorily even the 'things which are done under the sun.'

Ecclesiastes presents the subject well under one aspect. From another point of view the same problem might lead to another, though by no means irreconcilable, conclusion. The teaching of the Old Testament on this point previous to Ecclesiastes was undoubtedly true as far as it went. It is certain that holiness, even in this life, brings forth its meed of happiness, just as sin causes misery. Such is the working principle of God's Providence, though admitting many exceptions. The present order of things, as we understand it, does not give the requisite confirmation of that perfect balance of God's holiness and justice which the writer dimly envisioned. On this view of the subject Ecclesiastes bases his argument. He insists on the exceptions, and confesses that man can find no reason for the perplexing happenings under the sun. Hence both

solutions contain their element of truth, but Ecclesiastes' view brings us nearer the goal of that fuller Revelation we find in the New Testament.

The merit of Ecclesiastes' exposition appears from the First Epistle to the Corinthians (xv. 12 seq.), where St. Paul treats of the Resurrection, which some Corinthians denied. The Apostle demonstrates the necessity of our resurrection through, and in consequence of, the Resurrection of Christ. He emphasizes the need of a future life as an adequate sanction of the moral law. 'If in this life only,' he notes expressly, 'we have hope in Christ, we are of all men the most miserable' (i. 16). 'If (according to man) I fought with beasts at Ephesus, what doth it profit me if the dead rise not again? Let us eat, and drink, for to-morrow we die.' In other words, the Apostle declares that if we did not believe that we were to rise again from the dead, we might, and should, consistently, live like the wicked, who have no belief in the resurrection and the life to come; for in this life there are no fruits of happiness necessarily attached to our works of virtue. Hence it is evident that without a resurrection, life would be 'vanity,' even in a more complete sense than Ecclesiastes contemplated. The Apostle, therefore, argues to the need of a resurrection from the miseries of life, and the incomplete earthly sanction of the moral law. And his practical conclusion for the conduct of Christian life is: 'Therefore, my beloved brethren, be ye steadfast and immovable: always abounding in the work of the Lord, knowing that your labour is not in vain in the Lord.' But this revelation of a future life was only gradually accomplished. It formed no explicit part of the early creed of Israel. Ecclesiastes, because he could not foresee the stone rolled away from the grave, and the empty tomb of Christ, reached a different conclusion. He bids us enjoy in peace the good things God provides, until faith can see further into the mysteries of Divine Providence. 'All things are kept uncertain for the time to come (Vulgate), because all things happen equally to the just and to the wicked. . . .

Go then, and eat thy bread with joy, and drink thy wine with gladness, because thy words please God.' A conclusion very far removed from the Epicurean doctrine quoted by St. Paul. But the wise man sets down no absolute conclusion for the future life.

The problem Ecclesiastes set himself to solve remains, though in a lesser degree, surrounded with mystery, even in the fullness of Revelation which we enjoy. He considered the accepted tenets of Israel's faith; he reviewed the true but restricted outlook on Divine Providence upheld by traditional teaching; he dwelt on the contrary testimony of his own experience, and he prepared the way for a revelation of the fuller measure of justice in the years to be. He is dissatisfied with the doctrines that are, but ventures to substitute no other theory. Only he insinuates his belief in a higher judgment on the trend of human affairs, and leaves the issue in the hands of the Eternal. His degree of prophetic illumination was insufficient to enable him to reach definite conclusions as to the 'eternal years.' Thus, while he asserts that the present lot of mankind does not portray the wise and benevolent plan of God's equity, he does not say how the full measure of Divine retributive justice is to be accomplished. Implicitly *at least* he confesses to the need of a life to come, where present conditions in as far as they do not meet with the requirements of that full and final measure of justice worthy of the Divine Perfections, may be reversed, or at least, re-adjusted. Ecclesiastes is not blind to the mystery with which the workings of Providence are surrounded, even for believers. But he ventures to offer no answer to that question which could not be answered even by a prophet in Israel: 'Why doth the way of the wicked prosper? Why is it well with all them that transgress and do wickedly?' (Jer. xii. 2). It was natural to cry out in this gloom for 'light, more light.' Ecclesiastes foresaw the shadows that darkened the horizon of Israel's hope lifted. The outlook on the Divine plan becomes wider and nobler. And if we can point to no express promise of eternal life as man's

reward 'exceeding great,' there is a certain indefinable assurance of unexplored realms of truth to be thrown open to future believers. There is present to the mind of Ecclesiastes, even while he anxiously notes the inadequacy of the Jewish concept of retribution, the certainty of a future judgment. This, taken in connexion with the explicit declaration of the return of the soul to God, was ultimately to shed the final ray of light dispelling doubt. But Ecclesiastes is more concerned with undoing the ill effects on the minds of his co-religionists of a doctrine but partially true than in seeking the final solution of the problem. His criticism must be regarded rather as the readjustment of a difficulty, than definitely constructive.

Such was the utility of Ecclesiastes' work for his own age. What he has left unsaid with regard to the necessity of a future life, later Revelation supplies. St. Paul's teaching supplements Ecclesiastes'. Hence, with respect to New Testament Revelation, the Book of Ecclesiastes serves its purpose well. It marks a definite step forward towards a clearer understanding of the Divine plan. It clears the way for the future revelation of God's purpose in man's regard. The book has an element of doctrinal daring. Imperfectly understood, it might have exposed unbalanced minds to agnosticism from an intellectual point of view, and in practice led to Epicureanism. But in Ecclesiastes' defence, be it said, he did not create the difficulty. He only reduced it to its most acute significance. And instead of precipitating the ruin of belief and morals his book stimulated the renewal of both. It directed the attention of thoughtful men from the transitory goods of the present life, to the expectation of more lasting joys, to culminate in eternal happiness.

For the Christian, too, this book has its practical as well as its speculative utility. Its permanent value is still great. From a doctrinal point of view, the ordering of God's Providence amidst the 'vanity' of the world remains a mystery still. Good men suffer unmerited affliction; evil still has its apparent triumphs. And although the progress

of Revelation has happily extended Ecclesiastes' scant information on the subject of retribution, the Christian, looking at his final hopes 'as through a glass darkly,' has still perforce to use Ecclesiastes' phrase for his consolation and rule of life. 'All these things are in God's hand.' 'For all these things will God bring us to judgment.' Life would be an incomprehensible mystery for us as for Ecclesiastes, if we did not know something more of how it is governed and directed by its Omnipotent Author. But the fullness of Revelation has furnished us with 'a firmer prophecy,' by which we know and see more clearly how out of much apparent evil God draws good; and ordains the good of the world to the supreme good of His glory. In the light and strength of our faith in the Resurrection, the anomalies we witness in life may create difficulties, but never more lead to doubt or despair.

J. H. POWER, O.P.

MEDITATION OR CONTEMPLATION— WHICH ?

BY REV. EDWARD STEPHENS

ST. IGNATIUS LOYOLA conferred on the Church in whose caresses he was born two services beyond price: he founded the Society of Jesus and he restored the practice of mental prayer. Thus, with other saints of the sixteenth century, he helped to save the Ark of God from falling. He saw in mental prayer the lever to rouse the mass of mankind to the thought of the great eternal truths. The world was too much with his generation. In the riot of the Renaissance, while art and letters flourished, and prelates, in their pomp and magnificence, cast over the Church the glamour of their splendour, the sense of the supernatural became dim. Of this Thomas Wolsey was at once a symptom and an illustration. He passed in rapid succession from being Bishop of Tournai to being Bishop of Lincoln, Archbishop of York, Bishop of Bath and Wells, and Prince Bishop of Durham. Father Rickaby asks whether he held these preferments for the good of the flocks which he was given to shepherd, or ought he ever to have been shepherd at all. Such questions were not often asked, and failure to ask them spelt ruin to the Church. It was to stimulate men to such enquiry that St. Ignatius wrote his Exercises. His purpose necessarily limited his scope. He had to get men to realize God, and he planned accordingly. But in addition to the new method of prayer there was in existence the older method used by St. Anthony in Egypt, St. Benedict in Italy, and soon to be revived in Spain by St. Teresa and St. John of the Cross. As it was the higher method so it was the rarer. The Ignatian method achieved a far-reaching popularity

It helped to fashion the saints who have adorned the Church for three centuries. God alone can measure the beneficence of its influence upon those who, morning by morning, have knelt before their Maker and stirred their minds and their wills by the thought of the Divine truths. Yet, confessedly, St. Ignatius never meant to exclude the higher forms of prayer. Like the prince of religious teachers that he was, he knew human nature and Divine grace too well to introduce the new to the exclusion of the old.

In the 'Additions' following the fifth exercise in the First Week of the Spiritual Exercises, we read (No. 4): 'If I find what I want kneeling, I will not proceed to any further posture, and if when prostrate, in like manner, etc.; the second is, in the point in which I find what I want there I will rest without anxiety to advance further, till I am satisfied.'¹ Upon this, Father Rickaby comments as follows: 'So is this short addition the junction line between the Ignatian method of prayer and that higher prayer described by such doctors as St. John of the Cross and St. Teresa. There is no passing at will to that higher prayer, not even by the grace of God, as ordinarily given. God must draw you by an extraordinary condescension. St. Ignatius' meditation and contemplation does,² undoubtedly, dispose the soul to higher prayer.'³ Later in his book he writes thus: 'This doctrine of colloquies should be studied in view of the allegation that St. Ignatius' method is a bar to effective prayer.'⁴

It will be observed that Father Rickaby says that there is no passing at will to the higher prayer described by St. John of the Cross and St. Teresa. This statement is profoundly true, but perhaps unintentionally it seems to limit the condescension of God in the bestowal of this particular grace. The heights which enthrone the splendours of God's majesty and re-echo to the terrors of His Voice few are

¹ Rickaby, *Spiritual Exercises of St. Ignatius*, p. 46.

² St. Ignatius uses the term 'contemplation' in quite a different sense from the older mystical writers.

³ *Spiritual Exercises*, p. 51.

⁴ *Ibid.* p. 176.

privileged to climb, but there are lesser heights and lesser splendours given us to aspire to, whether to few or to many we need not discuss for the moment. These lesser heights and lesser splendours become revealed when we ask what is contemplative prayer. Its nature, Father Baker, the author of *Sancta Sophia*, explains as follows :—

A soul that by a divine call, as being in a state of maturity for it, relinquisheth meditation to the end to betake herself to a more sublime exercise, which is that of immediate acts or affections of the will, only then begins to enter into the ways of contemplation ; for the exercises of the will are the sublimest that any soul can practise and all the difference that hereafter follows is only in regard to the degrees of purity wherewith a soul produces such acts. The whole latitude of internal prayer of the will, which is contemplative prayer, may be comprehended under these two distinct exercises (1) forced acts or affections of the will ; (2) aspirations.¹

‘That this is contemplative prayer,’ writes Abbot Butler, ‘is not an idea of Father Baker ; it has behind it a great body of early Catholic tradition. It is taught by St. Teresa and very explicitly by St. John of the Cross, who says that when meditation ceases contemplation begins, and describes it as being purely, simply, lovingly intent on God.’² The range of this prayer stretches as far as the East is from the West, and it rises as high as heaven is above earth. It has its beginnings at the threshold of the Divine Presence Chamber, into which God draws souls for varying degrees of intimate conversation. There are some souls, although few in number, whose conversation is almost too intimate for human thought or human speech to describe. These rare few receive that extraordinary grace of contemplation which issues in a singular and miraculous union with God, accompanied by a most ardent love and exceeding the ordinary laws of God’s Providence in the supernatural order. Extraordinary gifts of prayer such as this, which is a purely gratuitous gift of God, exceeding the laws of His Providence in dealing with the souls of His faithful ones, should certainly not be desired, and therefore no one should ask for such favour in prayer.

¹ *Holy Wisdom*, p. 431.

² *Benedictine Monachism*, p. 107.

Humility teaches this. We should no more presume to ask for extraordinary contemplation than for the gift of miracles or of prophecy.¹

Yet it is surely a thought full of deepest comfort that, while God has reserved such high privileges for the chosen few, there is left, nevertheless, a prayer to which even sinners may lift up eye and heart in yearning : 'As to ordinary contemplation, the case is different. This also is a gift purely gratuitous on the part of God, but one not above or forming an exception to the ordinary laws of His Providence. Though it cannot be merited strictly by any amount of care or faithfulness to grace, it may, by profound humility, constant mortification and recollection, be merited *de congruo* ; that is, we can dispose ourselves for it by the practice of virtue and by intense longing, not for God's gifts so much as for God Himself.'² In meditation, therefore, as ordinarily practised, we find out God and realize Him. In the more intimate prayer of contemplation God bows the heavens and comes down. The soul strives to act on the command of God : 'Seek ye My Face,' and her promise is, 'Thy Face, O Lord, I will seek.' God stays with her a longer or a shorter time, as He wills. This visit of God would seem to require, as a preliminary, the active purgation of the soul by self-denial and the passive purgation of sense under the direct action of God. Sometimes the passive purgation follows, sometimes it accompanies the active purgation. It is the lot of many. It is manifested by losses of friends, honours, riches, health, and happiness.³ Frequently it is preceded by a ray of grace which enables the soul to see herself as she is and to realize her distance from God. In one of his most eloquent passages, Bishop Hedley describes this spiritual experience thus :—

All your ends and aspirations, all your strivings, all your attainings sink into insignificance when that voice is heard. . . . This in moments of remorse, of resolution, of decision, of conversion, of dedication to the

¹ Wilberforce, Introduction to Blossius' *Book of Spiritual Instruction*, p. xiii.

² Wilberforce, Introduction to *Book of Spiritual Instruction*, p. xiii.

³ Cf. Zimmerman, Introduction to the *Dark Night of the Soul*, p. x.

Master we had forgotten. Perhaps it was in early youth when we were new to sin, but beginning through lightness to take the wrong path in life's journey. Perhaps our hearts, unspotted, heard that masterful voice. Or it may be it came when sin had been beforehand and when our soul was horrible with offences and negligences: we may perhaps remember the day and never without thanking God for all His mercies. Tepidity, foolishness, the entanglements of passion, the paralysis born of vanity, all these or any of them have perhaps been shattered by the voice of God.¹

Under the vibrations of that strong voice, the soul with all its power tries to strip off and to eject whatever in her, let it cling as closely as may be, is offensive to the Lord Whom she desires, and God co-operates. By means of trials from without and from within He works a mighty share in her cleansing. Then it is that meditation begins to pall. There is no need to flog the soul to realize God. She realizes Him with a keenness born of new yearnings. He comes to her as an object of dark and inscrutable desires. She would speak, but, like the prophet Jeremias, all she can do is to babble like a child, 'A—a—a.' She has to learn the alphabet of interior prayer, to lay aside all images and pictures, all attempt at composition of place. She speaks to God directly in the prayer of simplicity. She no longer argues or reasons with herself. In acts of God's Presence, of sorrow for sin, in confession of her own unworthiness, in outpourings of adoration, love, praise, and above all, resignation, she spends her time before the Lord. By reason of, and in proportion to, the fervour of her utterances, it will be ill for a soul if she does not go forward but is content to remain when she has begun. She must become more practised and more perfect in her exercises. She must make corresponding progress in holiness of life, and ascend from virtue to virtue. So at last she will be allowed to see the God of gods in Sion. But her end is not here nor yet. According as God wills and according as the soul is faithful to the graces hitherto received and grows in purity of heart she comes to the

prayer of the unitive way, which is inspired by such thoughts of God's greatness and goodness and love and the joys of heaven and leads to

¹ *Retreat*, p. 28.

a richer and more interior prayer that is not expressed in words, but is accompanied by ineffable joy and delight (in modern nomenclature Prayer of Aspiration). This, in turn, leads on to a still more sublime state, wherein the soul in transports of love contemplates God as its own Father. (Acquired or Active Contemplation.) And during all these stages, principally the later, yet also the first, there are likely to occur bursts of a yet higher and more spiritual kind of prayer, which is contemplation in its fullest sense, the mystical experience of later writers.¹

If it be thought or said in objection that this tends to an exaggerated emotionalism no better corrective can be suggested than a study of Father Baker's *Holy Wisdom*. His teaching on the absolute necessity of mortification, on self-discipline, on tranquillity of mind, on abstraction from all that denotes self, is an astringent against whose severity no emotionalism can hope to survive.

The very richness of these experiences in prayer make the soul lift up her eyes to the hills whence cometh help, yet they also compel the question how few, or how many, are called to share them. For we inevitably doubt and must do. Even the Psalmist had to exclaim, 'Mirabilis facta est scientia tua ex me et non potero ad eam.' Not all writers are inclined to admit that the number is large. On the other hand, there are writers versed in the spiritual life who are more encouraging, among them Abbot Butler:—

Prayer of this kind is a very simple and natural thing; it comes easily to innumerable souls that know nothing of the divisions and names of interior prayer. Moments or short periods of such prayer are experienced by most religiously awakened souls, but unless it be sustained for some notable time it could hardly be called 'contemplative prayer.' By dint of practice, however, and self-discipline in praying, it will become more and more easily sustained and more profound and pure.²

And Father Zimmerman, the Carmelite, is of a like opinion. He writes thus: 'The number of souls called to the contemplative life is even nowadays greater than is commonly supposed. They are not confined to religious

¹ Abbot Butler, *Benedictine Monachism*, p. 67. ² Ibid. p. 108.

Orders, but are to be found in every station of life and in every country.’¹

The present is an age of religious revival. Signs of it meet us on every side. The general level of sanctity is rising at a rate of progress at once steady and continuous. Every country witnesses to the Hand of God. As the direct result of the great outbursts of united prayer made under the direction of the last three Sovereign Pontiffs, of Devotion to the Sacred Heart, to Our Blessed Lady, and above all to the practice of Frequent Communion, the flood-gates are open and grace is streaming down on individuals as on parishes, on dioceses and countries. How else can we explain the new-found zeal for the Propagation of the Faith, the revival of the old contemplative Orders, the interest in contemplative prayer, the formation of societies among the clergy, like that of the Apostolic Union and the Union of Priest-Adorers? The Spirit of God is at work in the Church. Is it too rash or too premature if one asks in all deference and humility whether more should not be done to urge a return on our part to the older methods of contemplative prayer? One who himself enjoyed the highest gifts of prayer asked the question and answered it as long ago as the seventeenth century :—

First, as for ecclesiastics (I mean, especially, priests, to which all inferior orders do tend), they not only may, but ought seriously to aspire thereunto, yea, perhaps more than simple religious ; for their most sublime, and by all ancient saints deemed so formidable an office (by which they are empowered and obliged, with immaculate sacrifices and fervent prayers, to be daily intercessors with God for the whole Church), presupposeth them to have already attained to a good recollectedness in prayer. And if, moreover, they have a charge of souls, they will need a far greater stability therein, that their various employments may be performed purely for and in God, and not break their union with Him.²

This is a high ideal and a noble ambition, and yet, high and noble as it is, how seldom is it referred to, much less urged, and how serious must the loss be in consequence. For consider : the earthly priesthood of Christ is the counterpart on earth of those ministers of the ordered worship of

¹ Introduction to *Dark Night of the Soul*, p. ix.

² *Holy Wisdom*, p. 138.

God, of which we get brief glimpses in Isaias and St. John. The priests of the Church handle the most pure flesh of the Son of God. They dispense in the tribunal of Penance the merits of His Precious Blood. They speak in the name of Christ rebuke and comfort. They stand above the people and make known to them, in sermon and instruction, the mysteries of God. Nay, their own official prayer is contemplative prayer of the highest kind, for the Psalms are surely the texture whereof are woven the prayers of the Blessed. The Psalms are irradiated by the splendours of the Living God. The pent-up love of all the Saints leaps out from them. They can never be mere faded formulae. They throb too vehemently with the passionate desire of a David for the sight of God, with the searchings of a heart after the Face of the Lord. They are fragrant with the sense of the sweetness of God's service, the beauty of God's law, the richness of God's love, the grandeur of His Name, and the comfort of His Presence. Upon thoughts and language such as this a priest's mind is fed all the day long. Distractions or even dissipation may enter into his life too frequently it may be, but, when every allowance has been made and every objection conceded, it still remains true that round God and the things of God a priest's life turns and centres as surely as did that of any anchorite of old. He may not claim it as a right nor merit it by any action of his own, but the very frequency of the distractions in his life should be an argument in favour of his aspiration to be hidden in the hiding-place of God's Presence from the strife of men.

The Kingdom of God has been likened to a man who bringeth from his treasure things old and new; on one occasion also it was said, 'The old is better.'

EDWARD STEPHENS.

IGNATIUS OF ANTIOCH AND THE CRITICS

By REV. J. DONOVAN, S.J.

SOME books have a history quite as captivating as the adventures of the heroes of fiction. The rescue from oblivion of a once famous book, its preservation from those deadliest of enemies, the forger and interpolator, or its perilous voyage down the stream of centuries, any of these topics may furnish a narrative that for dramatic interest may rival the most enthralling story of a man's rescue from peril or of his rise from obscurity to dazzling heights of greatness. This reflection is suggested by the final triumphant emergence, in the latter half of last century, after a perilous journey along the highway of history, of the Epistles of St. Ignatius, Martyr-Bishop of Antioch.

His seven genuine Epistles, in their latest issue,¹ occupy less than 60 pages demi-duodecimo. Yet the learned discussions they have provoked, if collected, would surpass in bulk any three-volume novel of Trollope or Thackeray. Indeed, if all the erudite dissertations elicited by these few pages of Greek text were to appear in a special series of volumes, this series would, in size and number, overshadow the total output of any two of our most prolific novelists. The authenticity of these documents, so precious because so ancient, is now placed beyond reasonable dispute. Present-day competent critics are forced to admit their genuineness.

The testimony of these Epistles to the faith and practices of our earliest Christians—at a time when men and women still survived who had seen and heard some of the

¹ S.P.C.K. for Students, 10.

Apostles—coincides so closely with the Church's traditional teaching, that this very coincidence was deemed unbearable and therefore unacceptable, not only by some infidel critics, but even by certain puritanical pundits. Among both classes of partisans there have always existed those who refused on *a priori* grounds to recognize documents which point indubitably to Catholicism as the only direct offshoot, the only legitimate heir to primitive and Apostolic Christianity.

To such minds it has seemed a matter of life and death to eliminate evidence so damaging to their own tenets, so corroborative of 'the Faith of our forefathers.' For greater clearness, the life-history, if one may be pardoned the word, of the Ignatian letters may be divided into three periods. The *first period* extends from the second decade of the second to the sixth century of our era.

In the course of this period the following facts are ascertainable beyond question. Firstly, St. Polycarp, friend and sometime host of Ignatius, possessed a collection of the letters, and this, seemingly, within a year of their composition. The force of this evidence has made a deep impression even on the German Modernist, Harnack.

Secondly, before the end of the second century, we find Ignatius quoted by Irenaeus, and indirectly referred to by Theophilus of Antioch. In the first half of the third century Origen quotes from the letters, as from well-attested Ignatian documents.

Thirdly, Eusebius, early in the fourth century, had access to these Epistles, with which he seems to have been familiar. From the most celebrated of all seven—the letter addressed to the Romans—Eusebius quotes the pathetic passages descriptive of Ignatius' movements on his way to martyrdom.

Fourthly, well-known Church Fathers, such as Athanasius, Jerome, Chrysostom, Basil, Theodoret, Gelasius I, and Ephraem, make use of the Ignatian Epistles. They appeal to their witness as to the irrefragable authority of one who wrote in what are loosely termed Apostolic times, of one

also who was believed actually to have enjoyed the intercourse of some at least among the Twelve.

Proofs of authenticity from external sources are absolutely conclusive. Indeed, in this case, they are incomparably more cogent than corresponding evidence deemed sufficient to guarantee the genuineness of the best authenticated of the Ancient Classics.

Somewhere, however, in the latter half of the fourth century, the very popularity and authoritative value of these venerable writings proved a temptation to an interpolator—possibly of the pious fraternity of that profession—to bring out an amended and, in his estimate, improved text. The result of his effort was to improve them almost out of existence. For this tampering with the text led, in a subsequent age, accidentally to the opinion that either Ignatius had written nothing, or, if he did, his writings had perished with him.

Yet the aim of this would-be embellisher may have been only to impart to the documents a more up-to-date appearance, and thus render them more presentable to his own contemporaries. At any rate there are unmistakable signs of an effort to clothe them in more modern and possibly more elegant garb. And, as the letters were evidently held in high regard, this Editor persuaded himself that he could not give his public too much of a good thing. So from the sources of a fertile brain, steeped in Ignatian thought, he fabricated six additional letters. The date of this fabrication and interpolation must be placed as early as the second half of the fourth century. The very early composition of the Syriac version, so strenuously asserted by most scholars, seems to necessitate this supposition.

The earliest known quotations, however, drawn from the adulterated issue, begin to appear in Greek Fathers only in the sixth century. And here, too, may be placed the beginning of our *second period*.

From the sixth to the sixteenth century there circulated, both East and West, under the name of the Martyr-Bishop of Antioch, a compilation of letters differing considerably

from the edition which Eusebius and Theodoret thumbed, and which supplied the quotations occurring in the Fathers of the first five centuries. In the West, the new-fangled issue obtained almost exclusive currency. Among Greeks it circulated side by side with the older and genuine recension. While Syriac, Armenian, Coptic, and Arabic translators adhered to the old text of the genuine seven, they incorporated with their versions translations of the six additional spurious letters.

Accordingly, the edition which henceforth held the monopoly in the Western Church, which also had extensive circulation among Greeks, contained five or six forged letters in addition to the adulterated seven. And these seven had donned so clever a disguise that in their new dress they passed for authentic.

In this rival compilation one must acknowledge the deft craftsmanship of a real artist. He had so mastered the thought and style of his original, that he found it an easy task to produce five or six additional epistles in precisely the same mould, both of expression and idea, as his adulterated edition of the genuine seven. This interpolated work, with its admixture of forgeries, is commonly spoken of as the 'Long Recension.'

The process of modification adopted by the interpolator consists chiefly of amplification, with special care for greater perspicuity of language. There are also signs of an effort after more classical and perhaps more graceful diction. Additions are here and there inserted. Scripture quotations are foisted in to illustrate matters discussed and to strengthen Ignatian argument. Free recourse is also had to excision. On the whole he reproduced the author's thought in a manner quite satisfactory for readers who content themselves with second-hand information.

It is well to mention this; for in subsequent controversies, while the opponents of Episcopacy, who repudiated the evidence of this Long Recension, were technically right, the conservatives, in quoting from this same source, were presenting what was substantially correct Ignatian

doctrine. It was the excisions that ultimately roused the suspicions of scholars, and gave to Ussher the clue which led back to the discovery of the older and genuine collection.

In estimating the culpability of the author of the metamorphosed letters, one can hardly judge by modern standards. Attribution of authorship for purposes of advertisement or commendation of new literary wares was not so uncommon and seems not to have been regarded in those days as morally wrong. When a pious but otherwise unknown writer produced some devotional or theological treatise, he sometimes deemed it best to launch his work under the assumed name of a celebrity, preferably a saint. He was thus likely to secure rapid and wider circulation for what he regarded as a valuable spiritual medicine, not only beneficial, but necessary, to the souls of his fellow-Christians.

In this case, however, many scholars see more than pious fraud. The garbling and multiplication of the Ignatian letters is said to have been undertaken with the more sinister design of lending support to some fourth-century heresy. But there is no agreement as to the precise denomination of the sect thus favoured. And the fact remains that the garbled edition met with general acceptance, even among the most orthodox.

So successful, indeed, was the work of mutilation that for ten centuries the genuine recension of the letters was lost sight of in Western Christendom. It was suffered to drag on a precarious existence in some monastic libraries. Hence, throughout all that long vista of years, the Long Recension, with its extraneous appendage, was held to be the genuine work of St. Ignatius. Somewhere about the tenth or eleventh century three more spurious productions were added, but only in the Latin version.

No sooner was criticism set in motion than these three Latin fabrications were at once repudiated as forgeries. The utmost maintained in their defence was the admission that their pious contents were not unworthy of perusal.

In the Reformation epoch the Ignatian letters enter on a new phase, which opens what has been set down as the *third period* of their history.

The controversy that began in the sixteenth and raged in the seventeenth century on Episcopacy, brought the Ignatian writings into the arena of religious polemics. Not only were Catholics involved in the debate on behalf of the Episcopate as an institution of Christ, but Episcopalian and non-Episcopalian Protestants were arrayed in opposite camps. The repudiation of the Ignatian documents was loudest on the part of the most violent adversaries of Episcopacy. These documents furnish unanswerable evidence of the rule of Bishops in local churches, in the years immediately following the death of St. John.

Such very early testimony proved a decisive factor in the controversy then raging. The only escape from their cogency was a *caveat* against authenticity. And this was the course adopted by Calvin. It must be allowed that the Long Recension, then in use among all combatants, gave some excuse for dismissing the witness of so formidable an opponent as Ignatius. 'Nothing more flat' (*putidius*, 'disgusting'), wrote Calvin, 'than those whining ditties (*naeniae*) that circulate under Ignatius' name.' This scornful reference (*naeniae*) was no doubt suggested by the plaintive note sometimes struck by the victim of Roman tyranny, and which echoes side by side with the prevailing note of the martyr's triumph.

The Lutheran Chemnitz scored a point by the declaration that the letters seem 'metamorphosed in many parts.' But the inference deduced was false; for it was not true that the passages containing Ignatius' *dicta* on Episcopacy bore a distorted meaning. Chemnitz was still further wide of the mark, when he declared that the textual transformation had been effected *ad stabiliendum statum regni Pontificii*—'to prop up Pontifical rule.' This absolutely false suggestion was, nevertheless, sure to be welcomed by his party.

The reader will do well to take note of the mentality

of these supposed searchers after truth. As soon as they realize that *some* textual alterations have taken place, they at once assume it was done in the Papistical interest; and they boldly infer that *all* Ignatian testimony is thereby vitiated. Chemnitz goes so far as to venture on the impudent assertion that in this matter he sees the intervention of Divine Providence to discredit the papists. 'I believe,' he writes, 'it is the work of God that the garbled additions betray themselves by their own verdict.'

Surely Providence came, later, to our rescue, when the restoration of the genuine Ignatius was effected, not by Catholics, but by a Protestant Archbishop!

The reader is already aware that the interpolation which prompted Calvin's contemptuous reference, and which evoked Chemnitz's gratitude to Providence, was the handiwork of a Greek writer, probably of the fourth century. There is not a shred of evidence to show that Papal influence had any hand in it. This assertion is guaranteed by the lengthy record to be found in Pearson's *Vindiciae Epistolarum S. Ignatii*.

On the other hand, excessive conservatism led some champions of orthodoxy to cling to all twelve letters, even after signs of interpolation had been pointed out, and even after both external and internal evidence for the genuineness of *not more than seven* had been clearly set forth by able scholars. Hence Whitaker, coming to the rescue of Calvin's thesis, was able to twit Bellarmine with the awkward fact that only seven Epistles are mentioned by Eusebius. Petavius, the great Jesuit patristic scholar of the seventeenth century, long before Ussher's discovery, admitted interpolation in the seven letters of the Long Recension. He also allowed the spuriousness of the six additional letters unknown to Eusebius.

It was left to the Protestant Archbishop of Armagh, James Ussher, to settle the question by resuscitating the short and genuine recension of the Epistles. Realizing the enormous value of the letters on the burning question of Episcopacy, he set himself to solve the riddle of interpolation

In the course of his researches he had shrewdly observed that certain passages quoted from Ignatius by three English divines corresponded exactly with quotations occurring in Theodoretus, but absent in the Vulgate Latin and Greek texts. Hence his conclusion that the genuine original, whence Grosseteste and two English Franciscans drew their excerpts, must still exist somewhere in England. His search was rewarded by the discovery of two Latin MSS., one at Cambridge, the other belonging once to the Library of Richard Montague, Bishop of Norwich. A careful examination revealed the important fact that the quotations of Theodoretus, as well as those made by other Fathers of the first five centuries, tallied exactly with the text of these newly-discovered manuscripts. Ussher knew he was now in possession of the genuine Ignatian letters. He gave his find to the world in 1664. Two years later, Isaac Voss, of Amsterdam, published the corresponding Greek original from a MS. found in the Medicean Library of Florence. In both these Latin and Greek manuscripts, one Epistle—that to the Romans—was missing. This was found and published by the Benedictine Ruinart in 1689 from a manuscript in the National Library of Paris.

The question of authenticity seemed now settled, and, by most scholars, was regarded as settled beyond dispute, thanks to this unexpected appearance of the Greek and Latin texts of the Short Recension. Petavius was of the number of those many scholars who welcomed the genuine Ignatius in the editions given to the world by Ussher and Voss.

Yet presently the combat was renewed with greater vehemence than ever. While conservative predilections for the more familiar Long Recension lingered for a short time in some Catholic circles, the animosity of certain disciples of Calvin broke out afresh against the newly-discovered genuine Short Recension of the Ignatian letters. Fired by their master's antipathy to Episcopacy, they denounced the discovery of Ussher and Voss. So great is the force of prejudice, so powerful the sway of will over intellect.

This situation deserves more attention than it has generally received. Here, at last, comes the genuine article, guaranteed by every possible token of authenticity. Here are the Ignatian Epistles, as known to Eusebius, to Theodoretus, and the rest. External evidence is overwhelmingly in their favour. But their contents favour Episcopacy. And this unwelcome testimony is enough to damn them in the eyes of really learned men, whose judgment is warped by prejudice.

And so these French protagonists of Calvinist Presbyterianism, Saumaise, Blondel, and, most remarkable of all, Daillé (Dallaeus), following in the footsteps of their master Calvin, resolve to rid themselves at all costs of the awkward evidence of Ignatius. Accordingly, they form a chorus and shout forgery. They set to work and ransack the records of antiquity and produce lengthy dissertations to show that Eusebius and Origen and all subsequent Fathers were so naïve as to allow themselves to be made dupes by some impostor who wrote at least one hundred years after the martyrdom of St. Ignatius !

Grotius, the famous Dutch jurist and scholar, who can hardly be suspected of partiality to Bishops, has left behind him an instructive comment on the attitude of these anti-episcopal champions. Of Blondel he writes to Gerard Voss : ‘ The opinions of Blondel about Bishops and Presbyters are not unknown, thanks to his already published writings. Though a man of much industry he is *too much a partisan*. . . . The Epistles of Ignatius, which your son has brought from Italy, free from all these blemishes that hitherto rendered them suspect to men of erudition, he (Blondel) will not admit, *for this reason (ideo quia), because they afford clear witness to the antiquity of Episcopal rule.*’ Grotius then proceeds to make light, and with good reason, of the arguments alleged against the Vossian edition.

The attack, led by Salmasius (Saumaise) and Blondel, was but the prelude to a great contest that agitated the learned world in the seventeenth century. The honours of

battle finally rested on the side of Ussher and Voss. The final cudgelling was administered, and the knock-out blow delivered, by the Protestant clergyman, Pearson, in his justly celebrated work *Vindiciae Epistolarum S. Ignatii*, incorporated in Migne's *Patres Graeci*, 5 and 6. In this learned treatise the objections of the French Puritans, and especially of Dallaeus (Daillé) are luminously set forth, classified, analysed, and crushingly refuted with a wealth of unanswerable argument, and a seemingly unconscious display of apposite erudition that compels admiration and forcibly reminds us of a fact liable to be forgotten in these days, that truly great critics existed before the self-advertisement of Modern Higher Criticism. *Fuere ante Agamemnona fortes.*

Daillé's titanic yet abortive effort to discredit the authority of the Ignatian Epistles, should help to point a moral for us Catholics. For the lessons to be gleaned from this controversy are highly instructive and confirmatory of the ordinary Catholic attitude towards sudden attacks from without. Daillé's conviction, flauntingly announced, of the spuriousness of what are now regarded as incontestably authenticated documents, was the result of prejudice due to his preconceived notions on the late origin of Episcopacy.

When the Ignatian documents were disinterred by Ussher, and bore unimpeachable witness to the antiquity of Bishops, Dallaeus and his confrères were engaged in the self-constituted task of running churches without Bishops. In self-justification they had to prove that Episcopacy belonged to the class of purely ornamental institutions, that it was of human origin, a mere accretion on primitive Gospel Christianity. Ignatius, coming forth as it were from his tomb, proved a formidable stumbling-block. Hence his embarrassing testimony must be got rid of at all costs. Bred in the school of the reformers, they had learnt from Luther how to achieve this riddance. Had not the great revelation of 'justification by faith alone' been found to contradict the words of the Apostle St. James, 'Faith without good works is dead'? And had not the great

heresiarch at once pronounced anathema to the canonical epistle of St. James? The epistle was an eyesore to Luther; so he declared it worthless, or to use his own forceful expression, 'not worth a straw.' Luther's lesson had been well learnt, and often followed by his disciples. It was followed by Salmasius, by Blondel, by Dallaeus, but with the futile result described. And in this instance truth was vindicated chiefly by an Anglican Bishop.

With this weapon of arbitrary rejection of whatever proves an obstacle to an argumentative goal, one can get rid of almost any historical fact; but, be it added, at the price of getting rid of all historical certitude, and of ultimately destroying those logical principles on which any sound theory of knowledge must rest. Such arbitrary methods lead finally to universal scepticism.

Is it not time for us, Catholics, to awaken to these facts? Over and over again documents that support this or that article of the creed, this or that practice of the Church, have been proclaimed spurious on exactly similar grounds; the wish being father to the thought. In the future similar baseless rejections will be attempted; for history repeats itself. A like formidable array of arguments apparently insoluble will be part of the process of rejection, as is seen in the plausible presentation of his case made out by Dallaeus. The unsophisticated multitudes will be carried away, as happened on the publication of that contemptible and most unscholarly of books, *Supernatural Religion*, with its pretence of impartiality and its scientific parade of what Lightfoot has shewn to be a tissue of falsehoods. Is it not time we should see through the trick, and be ready to meet it, not only without panic, but with calm assurance?

On every similar past occasion throughout history, when either our sacred books or early Church documents of the weight and authority of the Ignatian Epistles have been rejected on so-called scientific grounds, subsequent research has exposed the hollowness of these anti-Catholic conclusions. The moral is obvious. We are surely justified in

adopting an attitude of distrust on the first appearance of such onslaughts. After so much past experience, and inspired by the well-known adage first voiced by Thucydides, 'the future will be like the past,' after so many repetitions of most plausible anti-Catholic theories acclaimed at first and presently exploded, we are more than justified in meeting fresh attacks of this sort with reserve, with suspicion, and even with indifference. This attitude has the support of sound induction, and is both rational and legitimate. For it rests on the rock of experimental fact. Every instructed Catholic may rightly argue thus:—

'Though I have not at my command erudition adequate to disentangling the knotted skein presented by this biassed critic, still the successive failures of so many similar theories lead to the assumption that this apparently irresistible assault has as little real weight behind it as had so many of its predecessors which for a time by many were regarded as deadly, but were shown later to have been based on a false alarm or instigated by prejudice.'

With the appearance of Pearson's great work in 1672, the Ignatian controversy subsided. For nearly two hundred years afterwards the Vossian Recension of Ignatius held uncontested sway. But in 1845 the flames of controversy were once more fanned by the publication of Cureton's *Antient Syriac Version of the Epistles of St. Ignatius to St. Polycarp, the Ephesians, and Romans*. This Syriac text, then appearing for the first time, was copied from two MSS. just acquired by the British Museum. The date of one of these was fixed by experts as early as the sixth century; the second was supposed to date back to the seventh or eighth century. Thus they were earlier than any existing manuscripts of the Greek original. They had been brought by Archdeacon Tattam—the first from the monastery of Scete in the Nitrian desert; the second from Egypt. Their contents were limited to three of the seven Epistles mentioned by Eusebius, and these three appeared in a form considerably shorter than that of the Vulgate edition. Cureton, who was unquestionably an accomplished Syriac scholar, bestowed great pains on his

task of translating and editing. To him it became a labour of love. With quasi-parental affection for his own bantling, he became so wrapt in this shortest of all recensions as to see in it the genuine representative of Ignatius' work. He accordingly threw down the gauntlet against the discovery of Voss. In his view these three letters in their shortened form represented the sum total of the genuine remains of Ignatius. The Short Recension now appeared to be but an amplification of the three Curetonian letters; and the remaining four seemed forgeries, like the additional six of the Long Recension. Like their prototypes, they were only clever imitations.

The theory, however absurd when faced by stern fact, had a certain degree of *prima facie* probability. That was enough for the opponents of traditional Church teaching. To the rationalist mind—ever on the watch to find a loose stone in the Church's edifice—the opportunity offered scope for further destructive efforts. With the rationalist, as with others, the lesser of two evils is always to be preferred. Now three letters are less than seven, and, if priority were allowed to the three of the Curetonian collection, a large body of important Church documents would be for ever discredited. One is not surprised, then, to find the names of so many distinguished savants on the list of immediate converts to the Curetonian hypothesis.

Bunsen wrote learnedly in defence of the new thesis. So did Albert Ritschl, Pressensé, and others. The Curetonian theory was warmly advocated by the author of that most mischievous of books, *Supernatural Religion*, a work subsequently discredited by Lightfoot's exposure.

Sober criticism, however, soon reasserted itself. It was soon realized that the imputed cleverness of the supposed forgery was too clever for any superman's brain. Linguistic considerations, in fact, showed it to be an utter impossibility. Baur and the Tübingen school, possibly compelled by the logic of previous commitments in their theories on Christian origins, stoutly opposed the claim to *priority* made by Cureton and his followers on behalf of the three Syriac letters. And it must be conceded that no scholar

developed more lucidly than Baur the argument from sequence of thought. Baur, better perhaps than others, pointed out how the demands of logical thought-sequence necessitated the acceptance of the priority of the Vossian Recension. Denzinger, Hefele, and Jacobson, approaching the subject from another standpoint, made considerable breach in the ramparts erected by Cureton. Lipsius was at first captivated by the plausibility of Cureton's hypothesis, but subsequently recanted. Zahn, in 1873, 'in his important contribution to the solution of the Ignatian question, dealt a final blow at the claims of the Curetonian letters.' This quotation is from the great Lightfoot, Bishop of Durham, whose classic work on the Apostolic Fathers demolished whatever was left of Cureton's picturesque house of cards. Lightfoot's elaborate investigations confirmed the opinion advanced by previous scholars that the three Curetonian letters are only an abridgment or mutilation of the corresponding Ignatian letters found in Voss's Short Recension.

The results of this protracted controversy only served to place the authenticity of the Ignatian Epistles on a firmer basis. At the present day all competent critics are agreed in admitting their genuineness.

A word of explanation may not be unwelcome on the attitude of Baur and the Tübingen school towards this debate on the Ignatian documents. It may be fairly surmised that if Cureton's hypothesis could be made to fit their theories on the Scripture canon and on early Christian history, he and his school would have declared for the priority of the 'Three Syriac Letters.' It was fear for his own house, and the conflagration that menaced it from acceptance of the Cureton hypothesis, that drove him to take sides against a protagonist whom otherwise he must regard as an ally in destructive criticism.

As Lightfoot has put it: 'If Baur accepted the Ignatian letters as genuine, even in their shortest (i.e. Curetonian) form, he would have put an engine into the hands of his opponents which would have shattered at a single blow

all the Tübingen theories respecting the growth of the canon and the history of the early Church.' Baur's theories, and the historical investigations on which he professed to base them, had previously led him to fix the date of the original Vossian Letters in the age of the Antonines. Hence he could not allow priority to the Curetonian letters without throwing back the date of their composition to a time actually within or very near the lifetime of Ignatius, in other words, without affirming their authenticity.

The opportunism of these rationalist critics is most striking; nor does it need stressing to attract attention from honest seekers after truth. The Ignatian letters, be it recalled, which Baur and Renan and the rest had no hesitation in rejecting as spurious, are now recognized to be as well authenticated, if not better guaranteed, than most of the classics of antiquity. These facts should help to a correct appreciation of similar destructive theories now current concerning more essential documents and propounded by moderns animated by the same prejudices as the Daillés, the Bours, and the Renans.

Just now, the attitude of leading higher critics towards the authenticity of St. John's Gospel resembles very closely the attitude taken up towards the Epistles of St. Ignatius by the writers mentioned. *A priori* conceptions are the chief ground for rejecting an authorship backed by the unvarying tradition of nineteen centuries. These objections, when thoroughly sifted, have no more weight than Daillé's strictures on Ignatian thought and language.

An anti-Catholic critic shuts his eyes to the numberless past failures of men of his *métier*. Even his own failure only impels him to a fresh attempt at forging another weapon of offence. The Catholic apologist must not shut his eyes to those failures. They furnish the most eloquent testimony to the impregnable position of the Church built on the rock of Peter. Indeed, an apology for the Catholic faith might be drawn up exclusively from the history of hostile attacks that failed.

J. DONOVAN, S.J.

THE JUDICIAL OFFICE

By REV. DAVID BARRY

THE fact that, instead of being as in the past more or less closely associated with the administration of justice, we, as a nation, will in the future be entirely or almost entirely responsible for it, makes it opportune to explain some of the more difficult duties of judges, jurors, and others in a similar position. Moreover, the abolition or broadening of the franchise for grand and petty juries may be looked for, which would have the effect of directly interesting a larger number of our people in the preservation of public order, and in the punishment of those who violate it, than was hitherto the case. Up to the present the laws, however apt to secure their purpose, and however well-intentioned their authors, were made for us by foreigners ; and this circumstance partly accounts for a certain reluctance or carelessness about putting them into force, in so far as this depended on ourselves. But now there is nothing to prevent our developing a national and congenial system of legislation, that we can have no excuse for not giving effect to, as a matter of course and with strict impartiality.

Again, the appointment of judges will be in our own hands ; whereas in the past these were nominated by an alien government, seldom enough on account of their legal acquirements, and often, it is to be feared, by reason of their proved hostility to our national aspirations or other legitimate claims. And it is notorious that these prepossessions were not always discarded by them when they assumed judicial office. So that they were little likely to deal out even-handed justice to those who were convicted before them of crimes having a certain political complexion.

Accordingly, it is no matter for wonder that in such cases jurors strained their oaths sometimes in order to acquit these offenders, or at least that they co-operated only very unwillingly, and not very loyally, with the judges ; and in some instances, by their verdicts, showed no great zeal for order, security and settled conditions in the country. Furthermore, this mistaken leniency in one class of cases had the unfortunate effect of begetting a certain amount of laxity all round, or at least in connexion with many kinds of offences.

However, I believe that the defects of our administration of justice, attributed by us to the facts I have mentioned, of the legislation being alien and the judges partisan, was due to other causes as well. Chief of these I think was a mistaken sense of pity and an over-readiness to lend a sympathetic ear and credence to the pleadings of distress. Compassion, however laudable in proper circumstances, when thus misplaced, opened up a way to canvassing and the employment of personal influence with all their lamentable consequences ; though seldom or never to any grosser abuses.

Again, the reasons which operated to weight the scales of justice in favour of the criminal also deterred many from serving as jurors where it was at all possible to shirk this duty ; and, what was worse, occasionally from coming forward, although necessary witnesses for the punishment of malefactors. Now a person is bound in legal justice—which has the good of the nation for its object—when summoned by proper authority to assist in any capacity in dispensing justice, and it may be even to volunteer his services. Unless indeed, in a particular case, there be some weighty reason to excuse him, such as close relationship with the accused person, or a well-founded fear of serious consequences to himself. It is not often, of course, that a violation of this duty would be a mortal sin for an individual. But at all events it would be a breach of duty more or less serious ; and it is hard to see that the tide of patriotism is flowing very strongly when evading a public duty

is sought to be justified or excused by the cry that what is everybody's business is no one's.

The cases that the moralists seem to consider likely to be most perplexing for those entrusted with the duty of determining issues of fact¹ at a trial may be roughly reduced to two classes : (a) those where there is a divergence between the facts adduced in court and knowledge that the judge has acquired otherwise ; and (b) those in which the evidence at his disposal does not enable him to come to any certain decision and leaves any view he may form merely in the region of opinions.

Well, in reference to the case where there is a discrepancy between the evidence and what is believed to be the truth, it is to be noted in the first place that a mere *opinion* or *surmise* running counter to what has been proved judicially should never be allowed to stand in the way of the acceptance of this. Though it might be a reason why, if the rules of procedure permitted, the verdict should be modified somewhat. Thus, if it is established that a crime has been committed, and a juror conceived extra judicially some suspicion that it was not fully deliberate, or that there were extenuating circumstances in its commission, it may be legitimate for him, through answering in a certain way the queries proposed by the judge, to return, e.g., a verdict of manslaughter instead of one of murder, or to convict a prisoner of a misdemeanour rather than of a felony.

In the second place *certainty* that the available evidence is misleading or fallacious makes it incumbent on the judge or juror to add his important piece of knowledge, and so secure an equitable decision, by taking his place in the witness-box. If, however, this is not possible, either because his information is so highly confidential that he is not at liberty to disclose it, or because he may not be able to impart it without a comparatively serious risk to himself,

¹ This alone is the duty of jurors in most countries ; but in the United States 'the respective provinces of judge and jury have been discussed, and there has been a disposition to declare the jury supreme as to law as well as fact.'—*Encyclopedia Britannica* (11th ed.), vol. 15, p. 593.

is he to follow his really accurate extra judicial knowledge or the *apparently* accurate knowledge he has derived from the evidence ?

Now in most countries where jurors are employed they have authority to frame their verdict, not only on what has been proved in court, but on the whole facts within their cognizance, irrespective of the channels through which these reached them. Thus the theologians whom I have read say that the decision of a jury, unlike that of a judge, is not given merely 'secundum allegata et probata' but 'secundum convictionem suam intimam,'¹ or as others put it, 'juxta conscientiam intimamque convictionem.'²

Clearly, in such circumstances, one would anticipate that it is the real facts, however got at, and these alone, that would invariably be the basis of the verdict. Yet the moralists are practically unanimous³ in holding that, in criminal trials, jurors and other judges of matters of fact may and must acquit the accused, whatever his guilt, if this is not juridically brought home to him, and that they commit a strict injustice if they do not. Though, on the other hand, they insist that extrajudicial certainty of his innocence can and ought to be utilized to give a verdict in his favour.

However, according to recent developments of English law, petty jurors 'are restricted to matters proved by evidence in the course of the trial, and in theory must not act upon their own personal knowledge and observation except so far as it proceeds from what is called a "view" of the subject-matter of the litigation. Indeed it is now well established that if a juror is acquainted with the facts material to the case, he should inform the court so that he may be dismissed from the jury and called as a witness.'⁴

¹ Lehmkühl, *Theologia Moralis*, i. n. 965 (11th ed.).

² St. Alphonsus, *Theologia Moralis*, lib. iv. n. 208, note e (Gaudé's ed.).

³ Berardi, iii. n. 1085, is of a different opinion.

⁴ *Encyclopedia Britannica*, loc. cit. p. 591. See to the same effect the *Standard Dictionary*, i. p. 972. Father Slator (*Moral Theology*, i. p. 589), however, says, 'If any one of them [the jury] has any private knowledge of the facts of the case he is not precluded from communicating it to the others, and he

But the grand jury 'retains so much of its ancient character that it may present of its own knowledge or information and is not tied down by rules of evidence.'¹ However, notwithstanding this narrowing of the field of enquiry of the English common jurors, they may not condemn a person who they are satisfied is innocent, on account of some specious reasons advanced in court. Because, as St. Alphonsus says,² this would be intrinsically unjust and wrong, just as if a judge forced a couple to live together who he knew privately were not man and wife.

St. Thomas³ indeed has such a regard for the forms of justice, and such a fear of the consequences if a verdict were given flagrantly in opposition to them, that he permits an innocent person to be punished when he has been convicted, on the principle of the same cause having a good and a bad effect.⁴ And St. Alphonsus even would allow this if there were question, not indeed of death or mutilation, but of a fine, the imposition of which might in the circumstances be considered within the competence of the State in virtue of its eminent domain. But, on the other hand, in the event of an unfavourable decision in a criminal matter, is not the reputation of the accused more or less injured in every case? And is one's good name in any circumstances at the disposal of the State; or the liberty of an innocent person, if the penalty of the crime with which he is charged be imprisonment?

Accordingly, I am inclined to hold, with due deference to the great authorities on the other side, and notwithstanding the jealousy that English law has of any but judicial information, that in every case one known to be

should do this if justice or charity require it.' It appears to be peculiar to English jurisprudence also that the functions of jurors extend not only to criminal causes but to civil ones as well. Cf. St. Alphonsus, *Theologia Moralís*, loc. cit. In some parts of the United States 'the use of juries in civil and even in criminal cases is reduced or made subject to the election of the accused.'

¹ According to the Free State Constitution, art. 71, 'No person shall, save in the case of summary jurisdiction prescribed by law for minor offences, be tried without a jury on any criminal charge.'

² Ibid.

³ *Summa Theologica*, 2a, 2ae, qu. 64, art. 6, ad 3.

⁴ Billuart, *de Justitia*, disser. xiii. art. 2, Prob. 4.

innocent in reality must be always pronounced so, no matter how unfavourable to him circumstances are made to appear in court. There is the less difficulty in this because jurors are not compelled to disclose—and indeed are discouraged from disclosing—the lines of argument that led them to form their verdict. Of course, there is a real danger which they must sedulously guard against, that they would be influenced by any motives or considerations brought to their notice (or by representations made to them outside the court) except the knowledge—and certain knowledge at that—of the accused person's innocence.

As for civil cases, where it is clear that accepting the proofs adduced would lead to a miscarriage of justice, I have not been able to find that the theologians discuss them at all or at any length. Personally, on account of the great risk of corruption, unfairness and prejudice, to the interests of justice involved, once private information is allowed to usurp the place of official evidence, I am of opinion that it is the proofs given in court, and these alone, that should count with a juror. Hardship, of course, may in this way be sometimes inflicted by him ; but no wrong. For all the authority of the State, so vitally concerned in securing public respect for the judicial procedure, is behind him, and can be taken to ratify his acts ; as it could not do, if there were question of an innocent person being condemned in a criminal trial.

I come now to the case or rather series of cases in which, because of their intricacy, or because the relevant facts are so scanty or so apparently contradictory, nothing more satisfying than an opinion can be deduced as to the rights of the matter. Now it is plain that in many, even in most instances, it would be perfectly useless to look for absolute certainty, excluding the possibility of error ; the best that can be hoped for usually is moral certainty, excluding merely the probability of it. Well, if even this cannot be had, it is the universal teaching of moralists that in criminal cases the accused must be given the benefit of the doubt and acquitted.

As for civil trials, it is absurd to suppose that it is always possible to have moral certainty of the justice of the cause of one of the litigants; and that the merits of the dispute are invariably on one side exclusively. So a person might naturally expect that the civil codes would have devised some machinery for recognizing and dealing with the facts, in actions where something is to be said for both parties, and where a certain conclusion cannot be reached as to the real state of affairs. Because equity manifestly requires that the matter at issue or its value should in these circumstances be divided between the parties, in proportion to the strength of their respective claims, or, seeing that it might be impracticable to measure these with mathematical accuracy, there should be an adjustment of the dispute on the lines of an even division. However the various codes have no provision for this purpose, and the judge has the power in circumstances of doubt and difficulty to suggest but not to enforce a compromise. And, failing an amicable arrangement or composition of this kind, there is nothing for it but that he should give a verdict entirely in favour of whoever seems to have the better claim. In the Admiralty Division of the English Courts it is competent for the judge, when damages are sought for loss occasioned, e.g., by collision between two ships, to determine the proportion of blame or responsibility resting on each, and assess the damages accordingly.

In the unlikely event of the rights or probabilities on each side being equal, certain theologians hold that the judge can give a verdict at his own discretion¹ either to the plaintiff or the defendant—a view for which there is some foundation in Canon Law.² However, the more probable opinion is that the matter in dispute should, as far as practicable, be equally divided or determined by drawing lots.³ But owing to the groundless presupposition of the courts—that one of the litigants is always

¹ Lugo, *de Justit.*, disp. 37, n. 113.

² Lehmkuhl, *op. cit.* n. 967.

³ Lacroix, *Theologia Moralis*, lib. iv. n. 1495.

entirely and certainly to blame—and the procedure based on it—this sensible arrangement cannot be given effect to unless both parties consent.

If a judge be in doubt it is important for him to know how far the fact that one of the parties is certainly in possession ought to facilitate or influence his decision. And possession in this context is taken not merely in the literal sense, with a physical connotation, but also in the transferred sense, denoting the condition of one whose position or right the law requires his opponent to upset or disprove before he succeeds. Now the value we ascribe to the fact of possession—which to be of great use here must be quite certain¹—depends to some extent on which of the systems we adopt for resolving a speculative doubt and steadying an uncertain conscience. Some have such respect for established order that they sanction the disturbing of a person in possession only when his opponent gives certain proof that this has been unjustly acquired or maintained. While some attribute such little importance to the *status quo* that it is only when the other reasons alleged are equal that they admit the possessor's prior claim.² So if his adversary's reasons were *more probable* than his—and these of course will include the fact of possession—his favoured position would not save him. Others still, no doubt, in this last case, might advise a compromise and an equal division of the property in dispute; at least were it not for the fact that such a patently fair decision does not, as I have said already, fit into the machinery of the civil law.

In England some time since a good deal of criticism, mostly emanating from legal circles, was directed against a well-known judge, because, instead of confining himself to the law of the case, he sought, independently of counsel at both sides, to elicit facts and to put forward explanations alternative to theirs. And however natural and proper it

¹ 'Si inter duos controversia oriatur uter eorum possideat, ille in possessione praeferendus est qui intra annum frequentiores et potiores possessionis actus exercuit.' Code, can. 1697 § 1.

² St. Alphonsus, loc. cit. n. 210.

may seem to try to discover the whole truth, and to supplement the meagre information furnished by partisan advocates, the theologians¹ are not much in favour of the judge's intervention for this purpose. They rather deprecate it, and regard it as, generally speaking,² unwise and unwarranted interference, liable to expose his impartiality to suspicion; especially if competent advocates are engaged on both sides.

To whatever extent the administration of justice was likely to be biassed by considerations not so grossly unworthy, abuses due to bribery and corruption have been almost, or quite, unknown among us. So I need not discuss the views of the theologians as to the responsibility incurred by a judge who has been given a bribe, with a view to inducing him to give a particular verdict—whether a just or an unjust one. The only opinion that may be occasionally practical for us is that referring to one who, by wrongfully acquitting an offender, has deprived the treasury or some public use of the fine he should pay had he been convicted. It is the view of Lugo,³ as against Suarez and others, that a judge or juror, however guilty in this way, is not bound to indemnify whatever object has suffered the loss; inasmuch as the purpose for which fines are imposed is to punish and deter criminals, not to make money.

As I hope no law will be passed in our country that conscientious judges or jurors could hesitate to enforce, I need touch but lightly on the problems and anxieties occasioned them by unjust or irreligious legislation. The practical difficulties of the subject are doubtless mainly the cause of the considerable divergence of views as to the principles that are to light the path of duty in such

¹ Lehmkühl, op. cit. n. 961; Noldin, *de Præceptis*, n. 711. b.

² For ecclesiastical judges the Code, can. 1619, § 1 and 2, prescribes that 'Si actor pro re sua probationes quas afferre posset, non afferat vel reus exceptiones sibi competentes non opponat, iudex ne suppleat.

³ 'Si vero agatur de publico bono vel de animarum salute, eas supplere potest et debet.'

³ Loc. cit. n. 97.

circumstances. It is common ground that if a Catholic judge can pass on the decision of obnoxious cases to a brother who, by reason of his religion or otherwise, has no scruples in dealing with it, he ought to do so. Failing this possibility, if adjudicating be an infringement merely of the canon law—as, for instance, if one priest impleads another in a secular court—he is advised to apply for a dispensation. If, however, the enactment he is expected to carry out be a breach of the Divine or natural law, such as the granting of a divorce, the majority of theologians¹ do not allow him to act; even though refusal means forfeiting his position. A considerable number of them,² however, take a milder view, and do not see that formal co-operation in what is wrong is necessarily inherent in the action of one placed in such a difficulty, if he makes it clear that he does not mean to touch the moral or religious, but only the civil aspects of the case by his verdict. Some of the arguments, though, of these more lenient authors are very far from conclusive or sound; for instance, that mentioned but repudiated by Wernz,³ that the judge merely gives a sort of explanation or interpretation of what the unjust law is, instead of actually utilizing it and setting it in motion.

According to Slater, 'Cardinal Gasparri deduces from a decree of the Holy Office, December 19, 1860, that jurisdiction has been granted to judges in England to try cases where there is question of judicial separation of married people.'⁴

DAVID BARRY.

¹ See Gasparri, *de Matrimonio*, ii. n. 1539 (3rd ed.).

² Lehmkuhl, *op. cit.* ii. n. 921, Note; Noldin, *de Sacramentis*, n. 671 Genicot, De Becker, Ballerini-Palmieri, etc.

³ *De Matrimonio*, pars. ii. p. 699, note (113), 2nd ed.

⁴ *Moral Theology*, i. p. 587.

CORRESPONDENCE

THE PERRY PICTURES

REV. DEAR SIR,—In a previous letter I stated that I would try to find the address of the Perry Picture Company. It is : The Perry Picture Co., Malden, Mass. The present publications are even better than those of eighteen years ago, and the price is practically the same.

P. A. BEECHER.

MAYNOOTH,

July 27, 1922.

DOCUMENTS

FORMULA FOR THE 'RELATIO STATUS' OF THEIR DIOCESES TO BE SENT BY ORDINARIES TO THE HOLY SEE IN ACCORDANCE WITH THE PRESCRIPTIONS OF THE NEW CODE

(November 4, 1918)

SACRA CONGREGATIO CONSISTORIALIS DE RELATIONIBUS DIOECESANIS.

FORMULA A PRIMO ANNO QUINQUENII III, HOC EST AB ANNO 1921, SERVANDA
IN RELATIONIBUS IPSIS CONFICIENDIS.

Per decretum *A remotissima*, datum die 31 decembris 1909, determinata fuerunt tempus et ratio, quibus ab Ordinariis conficiendae forent relationes dioecesanæ ad Apostolicam Sedem; simul autem dabatur *Formula*, quam Episcopi sequi deberent in eiusmodi relationibus exarandis. Verum, promulgato, superiore anno, novo Codice canonici iuris, quo nonnulla innovata sunt aliaque aliter ordinata, expedire visum est ac porro oportere ut memorata *Formula* aliquantum immutaretur, quo eiusdem Codicis praescriptionibus plenius responderet atque omnimode cohaereret.

Itaque, de mandato SS^{mi} D. N. Benedicti PP. XV, nova haec *Formula*, ab ipsa Sanctitate Sua revisa et approbata, ab universis Ordinariis in posterum adhibenda erit in relationibus conficiendis, incipiendo scilicet a primo anno quinquennii tertii, hoc est ab anno 1921.

* * *

I. Relatio *latina lingua* conscribenda est, et ab ipso Ordinario subsignanda, adiectis die, mense et anno quibus data fuerit.

II. In prima cuiusque Ordinarii relatione ad singulas quaestiones, quae infra ponuntur, accurate ac plene responderi debet.

III. In relationibus, quae primam sequuntur, Ordinarii omittere poterunt ea omnia, quae partem materialem status dioecesis respiciunt et immutata manserint.¹

¹ Ad Ordinariorum commoditatem sequentes *canones Codicis iuris canonici* hic referuntur:

CAN. 340.

§ 1. *Omnes Episcopi tenentur singulis quinquenniis relationem Summo Pontifici facere super statu dioecesis sibi commissae secundum formulam ab Apostolica Sede datam (cfr. can. 215, § 2; 319, § 2).*

§ 2. *Quinquennia sunt fixa et communia, atque computantur a die 1 Ianuarii 1911; in primo quinquennii anno relationem exhibere Episcopi Italiae, insularum Corsicae, Sardiniae, Siciliae, Melitae, et aliarum minorum adiacentium; in*

CAPUT I.

Generalia de statu materiali personarum et locorum.

1. Indicet Ordinarius nomen et cognomen suum, aetatem, originis locum, et institutum religiosum, hoc est *religionem*, si ad aliquam pertineat; quando fuerit consecratus, vel, si Abbas sit, benedictus; quando dioecesis regimen susceperit.

Si Episcopum Auxiliarem habeat, an datus sit personae vel dioecesi.

2. Breviter exponat quanam sit origo dioecesis, quinam eius titulus seu gradus hierarchicus, quae privilegia potiora;

si metropolitana sit, an et quas habeat suffraganeas sedes; et quem Ordinarium appellationis iuxta *Codicem*, can. 1594 § 2, teneat;

si vero suffraganea sit, quem Metropolitam habeat; et num apud illum, vel apud alium Antistitem pro *Conferentiis episcopalibus* conveniat;

si denique nulli Metropolitae suffragetur, quem Metropolitam pro Concilio provinciali, pro *Conferentiis* et pro iudicio appellationis teneat iuxta cann. 285, 292 et 1594 § 3.

3. Dicat praeterea:

a) quinam locus residentiae Ordinarii, cum indicationibus ad epistolas inscribendas necessariis;

b) quanam amplitudo dioecesis, ditio civilis, caeli temperies, lingua;

c) quanam summa incolarum et praecipua oppida; quot inter intercolas sint catholici; si autem varii adsint ritus, quot catholici in singulis, et si acatholici inveniantur, quot sint, et in quales sectas dividantur;

d) qui numerus sacerdotum saecularium, clericorum et alumnorum Seminarii;

altero, Episcopi Hispaniae, Portugalliae, Galliae, Belgii, Hollandiae, Angliae, Scotiae et Hiberniae, cum insulis adiacentibus; in tertio, ceteri Europae Episcopi, cum insulis adiacentibus; in quarto, Episcopi totius Americae et insularum adiacentium; in quinto, Episcopi Africae, Asiae, Australiae et insularum his orbis partibus adiacentium.

§ 3. Si annus pro exhibenda relatione assignatus inciderit ex toto vel ex parte in primum biennium ab initio dioecesis regimine, Episcopus pro ea vice a conficienda et exhibenda relatione abstinere potest.

CAN. 341.

§ 1. Omnes et singuli Episcopi eo anno quo relationem exhibere tenentur, ad Urbem, Beatorum Apostolorum Petri et Pauli sepulcra veneraturi, accedant et Romano Pontifici se sistant.

§ 2. Sed Episcopis qui extra Europam sunt, permittitur ut alternis quinquenniis, idest singulis decenniis, Urbem petant.

CAN. 342.

Episcopus debet praedictae obligationi satisfacere per se vel per Coadiutorem, si quem habeat, aut, ex iustis causis a Sancta Sede probandis, per idoneum sacerdotem qui in eiusdem Episcopi dioecesi resideat.

[] e) utrum adsit Capitulum cathedrale, an potius coetus consultorum dioecesanorum; an adsint alia Capitula, vel sacerdotum coetus instar Capitulorum, seu Communiae, et quot;

f) in quot *vicariatus foraneos, decanatus, archipresbyteratus* aliasve circumscriptiones dioecesis divisa sit; quot sint paroeciae, cum numero fidelium earum quae maximae vel minimae sunt; an adsint paroeciae per linguas seu nationes distinctae, et an per familias et non territorio divisae, et quo iure; quot aliae ecclesiae vel oratoria publica adsint; sitne sacer aliquis locus celeberrimus, et qualis, cann. 216, 217;

g) utrum et quanam *religiones* virorum habeantur, cum numero domorum et religiosorum sacerdotum;

h) utrum et quanam *religiones* mulierum, cum numero domorum et religiosarum.

CAPUT II.

De administratione temporalium bonorum, de inventariis et archivis.

4. An et quomodo iuxta civiles loci leges, facultas possidendi, acquirendi et administrandi, quae Ecclesiae propria est, sarta tectaue sit; an potius coarctata; et si ita sit, quanam sti conditio cleri et ecclesiarum.

5. An institutum sit penes curiam *Consilium administrationis* et quibusnam constet: et num Episcopus in administrativis actibus maioris momenti illud audierit iuxta praescripta can. 1520.

6. An administratores particulares, sive ecclesiastici sive saeculares, cuiusvis ecclesiae etiam cathedralis, aut loci pii canonice erecti, aut confraternitatum, reddant quotannis Ordinario rationem suae administrationis. Can. 1525.

7. An servata sint praescripta can. 1523 circa modum administrationis, et confectionem librorum accepti et expensi;

can. 1526 de non inchoandis litibus sine Ordinarii scripta licentia;

can. 1527 de abstinendo ab actibus ordinariam administrationem excedentibus;

et can. 1544 seqq. circa congruam dotem, tabulas piarum fundationum, aliaque.

8. An qui bona fiduciaria ad pias causas acceperint, servant quae can. 1516 statuit, praesertim circa rationem Ordinario reddendam.

9. In venditione, oppignoratione, permutatione, locatione et emphyteusi bonorum servataene sint fideliter ab omnibus normae cann. 1530-1533, 1538-1542: et si non, quae remedia adhibita.

Praecipua quae acta sunt his de rebus negotia referantur.

10. Circa decimarum et primitiarum solutionem serventurne laudabiles consuetudines, praecavendo tamen a dura exactione. Can. 1502.

11. Circa oblationes in commodum paroeciae et missiones serventurne praescripta can. 1182 de earum administratione et ratione Ordinario reddenda; et collectores abstineantne a vexatoria et odiosa requisitione.

12. Circa missarum stipem quomodo servantur quae can. 831 praescribit de taxa synodali;

quae can. 835 de non colligendis a sacerdotibus missis, quibus intra annum ipsi satisfacere nequeant;

quae can. 841 de transmissione ad Ordinarium missarum exuberantium;

quae cann. 848 et 844 de libro personali quam ecclesiarum proprio pro missis adnotandis.

18. An inventaria immobilium, mobilium et sacrae suppellectilis uniuscuiusque ecclesiae, parochiarum, capitulorum, confraternitatum aliorumque piorum locorum, quae canonice erecta sint, confecta in duplici exemplari, alio pro pio opere, alio pro Curia episcopali habeantur iuxta cann. 1296, 1522.

Cautum ne sit, et quomodo, ne morte rectoris ecclesiae, aut superioris pii operis mobilia et suppellectilia disperdantur aut subtrahantur. Cann. 1296, 1800-1802.

14. An Episcopus archivum habeat ad tramitem cann. 375-378 erectum et custoditum; et cum documentis et libris de quibus in cann. 470 § 3, 1010, 1047, 1107; a quo tempore documenta incipiant, et an pergamenae et incunabula habeantur: catalogine confecti sint;

an aliud quoque secretum archivum, vel saltem armarium obseratum, in qua scripturae secretae custodiantur, servatis regulis cann. 379-380.

15. An ecclesia cathedralis, collegiatae, paroeciales, confraternitates et pia loca canonice erecta, sua quoque archiva detineant, cum documentis cuicumque piae causae propriis, cum inventariis mobilium et immobilium et cum catalogo omnium documentorum;

et exemplar eiusdem catalogi exhibitumne fuit Curiae episcopali, et in archivo Curiae repositum iuxta can. 388.

CAPUT III.

De fide et cultu divino.

16. Utrum graves errores contra fidem serpent inter dioecesis fideles; vel aliqua praxis superstitiosa aut ab institutis catholicis aliena in dioecesi vigeat; an modernismi, theosophismi, spiritismi lues dioecesim infestet, et an aliqui e clero eisdem erroribus infecti sint. Quanam huius mali fuerit, vel adhuc sit causa.

Adsitne *Consilium a vigilantia*, quot personis constet, et quo fructu munera sua expleat.

An professio fidei cum iuramento antimodernistico exigatur, et ab omnibus ad quos spectat fideliter praestetur iuxta can. 1406 et decretum S. Officii 22 Martii 1918.

17. Utrum divinus cultus libere exerceatur; sin minus, unde obstacula proveniant: a civilibus legibus, an ab hostilitate perversorum hominum, vel ab alia causa; quanam ratio suppetat ad ea amovenda, et num adhibeatur.

18. An Ecclesiae iura circa coemeteria sarta tectaque sint, et canonicae de his leges servari possint, et servantur. Cann. 1205 seqq.

19. Utrum in cultu divino, in Sanctorum, sacrarum imaginum et reliquiarum veneratione; in sacramentorum administratione; nec non in sacris functionibus, sive quoad ritus sive quoad linguam et cantum, leges canonicae ac liturgicae servantur.

An in his, et quatenus, irrepserint singulares consuetudines; sitne cura ut prudenter submoveantur, an potius tolerantur, et quam de causa. Can. 731 seqq.; can. 1255 seqq.

Adsintne in ecclesiis picturae, statuariae aliaeque a sanctitate loci alienae, vel minus consonae liturgicis legibus; et quid fiat ut amoveantur. Arceantur semper a domo Dei profani conventus, et nundinae etiam ad pias causas. Can. 1178.

20. Utrum numerus ecclesiarum in singulis oppidis vel parocciis fidelium necessitati sufficiat.

21. An generatim ecclesiae mundae sint, decenter ornatae et suppellectili sufficienti instructae.

Adsintne egentes, squalidae, fatiscentes, et an et quid agatur ut reficiantur.

Recenseantur ecclesiae, si adsint, structurae arte, picturis aut pretiosa suppellectili insignes: et dicatur num congrua de his omnibus cura adhibeatur.

22. An ingressus in ecclesias, dum sacra aguntur, sit, prout debet, prorsus absolute semperque gratuitus. Can. 1181.

23. An ecclesiae rite custodiantur ne furtis et profanationibus obnoxiae fiant:

et eae in quibus SS. Eucharistia asservatur, praesertim parocchiales, quotidie per aliquot horas fidelibus pateant iuxta can. 1266:

quomodo observentur: cann. 1267 et 1268 circa custodiam SS^mi Sacramenti in uno tantum loco et altari; et circa decorem et ornamentum praecellentissimum altaris eiusdem;

can. 1269 circa tabernaculi statum;

can. 1271 circa lumen coram SS^mo.

CAPUT IV.

De iis quae ad Ordinarium pertinent.

24. Indicet Ordinarius quibus redditibus ipse qua talis fruatur, sive sint ex bonis immobilibus, ex publico fœnore vel aërio, ex incertis Curiae, ex dioecesis contributione, sive ex aliis causis: et an sibi sufficientes sint;

qualem domum episcopalem inhabitet, et cum quibusnam convivat: an et quale cathedraticum exigit iuxta can. 1504.

an et quales alias exactiones forte imposuerit iuxta cann. 1505, 1506: utrum aliquo aëre alieno sive qua Ordinarius, sive qua persona privata gravetur; et qua ratione eius extinctioni consulat.

25. An episcopales aedes et bona mensae sive mobilia sive immobilia, accurato inventario confecto, curaverit iuxta praescripta cann. 1483, 1299 § 3 et 1301.

26. An in ultima sedis vacatione praeter Vicarium Capitularem oeconomus quoque constitutus fuerit pro mensae bonis: et res bene gestae fuerint iuxta cann. 432, 433.

27. Quomodo residentiae legi satisfaciatur; qua frequentia pontificalia peragat, conciones habeat et pastoralibus litteris clerum et populum

instruat; quomodo caveat ut ecclesiasticae leges notae fiant, et ut ab omnibus fideliter servantur. Can. 336.

28. Qua frequentia sacramentum confirmationis administret; et quomodo provideat, si ipse per se omnium necessitatibus consulere nequeat.

Serventurne in huius sacramenti collatione regulae de aetate confirmandorum et de patrinis.

29. Quot in quinquennio sive per se sive per alium ad sacros ordines promoverit. Et an servaverit leges de non promovendis a) qui necessarij non sint vel utiles iuxta can. 969; b) qui saltem integrum theologiae curriculum in Seminario non peregerint. Can. 972 § 1.

An numerus ordinatorum par fuerit necessitati dioecesis.

An aliquem incardinaverit, qua de causa, et num iuxta legem can. 111 seqq.

30. An servatae sint regulae can. 877 seqq. in concedenda facultate vel licentia sacramentales confessiones audiendi;

et can. 893 seqq. circa casus reservatos.

31. Circa sacram praedicationem, an consuluerit ut iuxta Const. S. P. Benedicti XV et normas a S. C. Consistoriali datas die 28 Iunii 1917 omnia rite procederent; ac maxime ut servarentur praescripta can. 1340 seqq. circa licentiam concedendam et can. 1347 circa modum et argumentum concionandi.

An curaverit ut votum a can. 1345 expressum de brevi aliqua homilia in omnibus missis festivis habenda sensim ad effectum ducatur.

32. An et quo fructu avertere pro viribus studuerit fideles a nuptiis cum acatholicis, infidelibus, aut impiis iuxta cann. 1060, 1064, 1065, 1071.

33. An in quinquennio totam dioecesim ipse per se, aut per alium visitaverit iuxta can. 343-346.

An praeter loca et res, libros et archiva, personas quoque clericorum visitaverit, eos singillatim audiendo, ut cognoscat quae sit uniuscuiusque vitae ratio, quae confessionis frequentia etc.

An inspexerit quoque quae habentur circa legatorum adimplementum et missarum manualium satisfactionem ac stipem, et an constiterit omnia ad legis normam procedere iuxta cann. 824-844.

Et si abusus aliquos hac in re detexit, referat.

34. Utrum et quomodo dioecesanam synodum celebraverit, et quando novissima synodus congregata fuerit. Cann. 356-362.

35. *Si sit Metropolitanus aut Conferentiarum episcopaliū Praeses:* an et quando Concilium et quando Conferentias convocaverit; quinam interfuerint; et quo fructu res cesserit. Cann. 283-292.

Ceteri Episcopi: an Concilio provinciali, et Conferentiis ipsi per se, aut saltem per procuratorem, interfuerint. Can. 287.

36. Quomodo se habeat cum civili loci auctoritate; an episcopalis dignitas et iurisdictio sarta tecta ita semper servari potuerit, ut numquam, servilitate erga humanas potestates vel alio modo, detrimentum libertati et immunitati Ecclesiae, aut dedecus statui ecclesiastico obvenerit.

CAPUT V.

De Curia dioecesana.

37. Utrum Curia dioecesana aedes proprias, sufficientes et convenientes habeat; et si non, an et quomodo huic defectui consuli queat.

Exhibeatur prospectus officialium Curiae episcopalis, adiectis iudicibus synodalibus, examinаторibus, parochis consultoribus, censoribus librorum, aliisque peculiaribus administris. Can. 363 seqq.

38. De qualitatibus et opere Vicarii generalis et aliorum praecipuorum ministrorum adumbratio aliqua fiat.

39. Quinam sint Curiae proventus sive ex taxis, sive ex multis pecuniariis, sive ex aliis titulis: et quomodo erogentur.

CAPUT VI.

De Seminario.

40. Si dioecesis Seminario careat, quomodo consulatur pro comparandis sacerdotibus dioecesi necessariis.

An studium sit seligendi bonae spei iuvenes, e dioecesi oriundos, ad clerum indigenam creandum; quo fructu: et ubinam educentur. Can. 1353.

41. Si Seminarium adsit, referatur enucleate:

a) de numero et statu eorum qui externam disciplinam regunt, qui spiritualiter alumnos dirigunt, qui docent, qui discunt;

b) de statu aedium, et rusticationis domus;

c) de redditibus et oneribus, hoc est de statu activo et passivo pii instituti;

d) de iis quae videantur necessaria ad meliorem Seminarii statum.

42. Distinctum ne sit Seminarium in maius et minus iuxta can. 1354 § 2.

Et si prudentia suaserit, aut dioecesis conditio exegerit, ut dumtaxat Seminarium minus seu schola apostolica, uti vocant, constitueretur, dicatur ubinam maiores alumni educentur: num in Seminario proprio provinciali, seu regionali, seu interdioecesano apostolica auctoritate constitutum iuxta can. 1354 § 3. Et de eius statu adumbratio aliqua fiat.

43. An servatae sint regulae:

can. 1356 circa tributum seminaristicum;

can. 1357 circa visitationem alumnorum et regulas internas;

cann. 1358, 1360, 1361 circa directionem disciplinarem, oeconomicam et spirituales;

can. 1359 circa deputatos;

can. 1363 circa alumnos admittendos et excludendos;

can. 1371 circa dimittendos aut expellendos;

cann. 1364-1366 circa institutionem litterariam et scientificam, praesertim philosophiae et theologiae;

can. 1367 circa pietatis exercitia;

can. 1369 circa spiritum ecclesiasticum fovendum et urbanitatis leges tradendas.

44. An Ordinarius curaverit ut aliquis alumnus pietate et ingenio praestans peculiaria Urbis Collegia, vel Universitates sive facultates a S. Sede in Urbe vel alibi probatas adiret, ut ibidem in studiis perficeretur iuxta can. 1380.

CAPUT VII.

De clero generatim.

45. An clerus generatim habeat quo honeste vivere possit.

An pro senibus et infirmis domus aut saltem subsidia adsint quibus adiuvari possint.

46. An habeatur domus propria pro spiritualibus cleri exercitiis: an etiam quo poenitentes recipiantur.

47. Quo fructu Ordinarius curaverit ut clerici omnes ea adimpleant quae recensent:—

can. 125 circa sacramentalem confessionem et pietatis exercitia;

can. 126 circa periodicum recessum ad spiritualia exercitia;

can. 130 circa examina annualia novorum sacerdotum;

cann. 131 et 448 circa *conferentias* cleri;

can. 133 circa cohabitationem cum mulieribus;

can. 134 circa communem clericorum vitam, praesertim vicariorum cooperatorum cum suo parrocho, can. 476 § 5;

can. 135 circa recitationem officii divini;

can. 136 circa habitus ecclesiastici et tonsurae delationem;

can. 811 circa vestis talaris delationem in missae celebratione;

can. 137 circa fideiussiones cavendas;

cann. 138-140, 142 circa abstinentiam ab omnibus quae statum ecclesiasticum dedecent, a theatris et spectaculis mundanis et a negotiorum saecularium gestione.

48. An et quot clericis licentiam concesserit, de qua in can. 139 § 3, operam suam praestandi in arcis seu mensis nummulariis parsimonalibus cooperativis, ruralibus, aut similibus:

an ratione communis boni, deficientibus laicis, et ob utilitatem religionis id concesserit; et num adhuc hae concessionis causae perseverent:

an mensae nummulariae, in quibus clerici opus aliquod agunt, honestate personarum et principiorum tales sint, ut non edeceat sacerdotem in iis partem habere:

an in iisdem administratio ita recte geratur, ut omne absit decoctionis periculum, in quo sacerdotes convoluti maneant; et quomodo caverit de securitate huius notitiae:

an denique qui hisce arcis applicati sunt a religiosa sacerdotalis vitae praxi deflexerint, et molestiam aliquam attulerint: et si ita sit, Ordinarius casus proponat et remedia suggerat.

49. An clerus praestet eam quam can. 127 praescribit obedientiam et reverentiam erga Ordinarium suum, et erga Apostolicam Sedem: et si sint qui graviter deficiunt, eos Ordinarius denunciaret.

Si adsit in dioecesi clerus diversi ritus et linguae, quatenam sit inter clericos caritas: et quatenam Ordinario cura fuerit pro utrisque.

50. An generatim clerus officia obsequenter suscipiat, quae Ordinarius iuxta can. 128 eis committit:

an habeantur, qui quamvis viribus polleant, otiosi tamen vivere malunt :

si habeantur qui Universitates laicas frequentent, an his servaverint ac servant leges a S. C. Consistoriali ad rem statutas :

et si huiusmodi adsint, eos Ordinarius indicet.

51. An adsint sacerdotes qui in diariis et libellis periodicis scribant, vel ea moderentur : et qua facultate et utilitate id peragant. Can. 1386 § 1.

52. An adsint de clero qui cum scandalo diaria et ephemerides vel libros legant quae dedecent :

qui factionibus municipalibus vel politicis indebite se immisceant :

qui ad statum saecularem redacti sint, aut per nefas ad illum sponte sua sint regressi. Cann. 211-214.

et quid fiat ad horum malorum remedium.

53. An et quo fructu aliquas ex poenis recensitis in can. 2298 Ordinarius irrogaverit : et casus graviores referat.

CAPUT VIII.

De Capitulis.

54. *Si desit Capitulum cathedrale*, dicatur quot consultores dioecesani habeantur, et serventur circa ipsos quae cann. 424-428 statuunt.

55. *Si adsit cathedrale Capitulum*, dicatur quot dignitatibus et canonicis constet ;

adsintne officia canonici theologi et poenitentiarii ; et serventur ab ipsis quae cann. 398-401 iubent ;

habeantur alii beneficiati minores, et quot.

56. Exponatur quae sit dotatio Capituli seu beneficiatorum.

In distributionum seu punctaturarum disciplina vigeantne et serventur regulae can. 395.

57. Si adsint canonicatus aut beneficia patronata, curaveritne Ordinarius, et quo fructu, ut patroni spiritualia suffragia loco iuris patronatus, aut saltem loco iuris praesentandi, acceptarent, iuxta can. 1451.

58. Adsintne statuta iuxta cann. 410 et 416.

59. Quot adsint canonici ad honorem : et serventur de ipsis regulae can. 406.

60. Sede episcopali vacante, quatenus vigeat ratio providendi dioecesis regimini :

servatane fuit, ultima vacationis vice, disciplina quam cann. 429-443 praescribunt.

61. Dicatur aliquid de modo quo Capitulum sacras functiones peragit, quo se gerit erga suum Ordinarium, et de aliis quae ad eius bonum nomen pertinent.

62. Si adsint in dioecesi Capitula, preasertim insignia, vel *Communia* cleri ad modum Capitulorum, Ordinarius de iis referat analoge ad ea quae pro cathedrali Capitulo sunt requisita.

CAPUT IX.

De Vicariis foraneis et parochis.

63. Referatur an Vicarii foranei adimpleant diligenter ea omnia quae can. 447 praescribit de vigilantia in ecclesiasticos viros sui ambitus seu districtus, de cura ut canonicae leges et decreta Ordinarii observentur, de aliisque ;

an paroecias iuxta normas ab Ordinario datas visitent ;

et an quotannis rationem reddant Ordinario de statu sui vicariatus iuxta can. 449.

64. An paroeciae omnes de suo proprio pastore sint provisae : et serveturne lex a can. 460 lata de uno dumtaxat pastore in unaquaque paroecia habendo, reprobata qualibet consuetudine et revocato quolibet privilegio.

65. An adsint paroeciae amovibiles, quot, et qua de causa.

An et quot unitae Capitulis sive cathedrali, sive collegiatis, domui religiosae, aut alii morali personae : et in hoc casu utrum serventur leges de vicario curato constituendo cum libero exercitio animarum curae iuxta statuta in cann. 415, 471, et 609 § 1.

Et si religiosus sit parochus, an sarta tectaque sint quae cann. 630, 631 hac de re praescribunt.

66. An et quot adsint patronatui obnoxiae : an et quo fructu cura fuerit Ordinario ut patroni spiritualia suffragia loco iuris patronatus aut saltem loco iuris praesentandi acceptarent iuxta can. 1451 : sin minus, an in praesentatione servatae sint leges a cann. 1457 seqq. latae, ac maxime a can. 1452 in casu electionis seu praesentationis popularis.

67. An provisio paroeciarum quae sunt liberae collationis fiat per concursum, et qua ratione concursus celebretur. Can. 455 seqq.

68. Quibus redditibus parochi vivant, an ex immobilibus, ex publico foenore vel aerario, an ex incertis stolae, et fidelium vel dioecesis contributione.

An commodè generatim vivant, et an adsint qui egestate laborant.

An domo propria paroeciali, saltem conducta eaque sufficienti, generatim instructi sint ; et si non, an studium sit et probabilitas ut ea instrui valeant.

69. An parochi generatim satisfaciant iis quae praescribunt :

can. 463 § 4 circa gratuitum ministerium praestandum iis qui solvendo pares non sunt ;

can. 465 circa residentiam ;

can. 466 circa applicationem missae pro populo ;

can. 467 circa sacramentorum administrationem et animarum salutis zelum ;

can. 468 circa infirmorum curam ;

can. 469 circa vigilantiam ne errores contra fidem et vitia subrepan ; et circa opera caritatis, fidei et pietatis in paroecia instituenda et fovenda ;

can. 470 circa paroeciales libros recte conficiendos ;

circa exemplaria tradenda quotannis Curiae episcopali ;

can. 735 circa *sacra olea* a parochis loco decenti ac tuto custodienda.

70. Circa *baptismum*: an quaelibet ecclesia parochialis sacro fonte sit instructa iuxta can. 774: et quoties infantes sine periculo aut gravi incommodo ad paroecialem transferri nequeant, an parochus ad proximiorē ecclesiam vel publicum oratorium pro sacramento ministrando ultro libenterque accedat iuxta can. 775.

71. Circa *SSm̃am Eucharistiam*: an parochis cura sit studiumque indefessum ut, iuxta can. 863, fideles saepius et etiam quotidie pane Eucharistico reficiantur;

ut iuxta can. 865, infirmi, dum plene sunt sui compotes, S. Viaticum suscipiant;

ut iuxta cann. 1273, 1274 et 1275 cultus SSm̃i Sacramenti augeatur, excitando fideles ad quotidianam missae adsistentiam, ad visitationem serotinam peragendam, exponendo statis temporibus SSm̃am Eucharistiam, aliaque utilia peragendo;

ut iuxta can. 854, servata quidem parentibus et confessariis debita libertate ad iudicandum de sufficienti puerorum dispositione ad primam communionem, iidem parentes ne negligant officium suum, et alii abusus ne subrepant.

72. Circa *extremam unctionem*: an parochis cura sit, ut hoc sacramentum ab infirmis recipiatur dum sui plene compotes sunt.

73. Circa *matrimonii* celebrationem: an parochis omnibus cura sit diligens observandi quae praescripta sunt in Codice lib. III, tit. VII, circa libertatem status, impedimentorum dispensationem, sacros ritus, et adnotationem matrimonii.

74. Circa *catechesim*: an ab omnibus parochis diligenter serventur quae praescribit:

can. 1330 circa peculiarem catechismum pro prima confessione et communione et pro confirmatione puerorum;

et cann. 1331-1336 de catechismo diebus festis impartiendo tum pueris tum adultis.

75. Circa *evangelii* explanationem: an ab omnibus lex servetur can. 1344;

circa *sacras conciones*: an statis quibusdam temporibus sacrae conciones frequentius habeantur ad normam can. 1346, et sacrae missiones locum habeant iuxta can. 1349.

76. An vicarii cooperatores alique animarum curatores suis officiis laudabiliter fungantur iuxta can. 473 seqq.

CAPUT X.

De religiosis.

77. An Ordinarius sive per se, sive per alium, quinquennalem visitationem domorum religiosarum peregerit iuxta cann. 512, 513: et quae notabilia adnotanda habeat.

78. Utrum religiosi, sive viri, sive mulieres, vitam communem ducant; an sint qui habitent soli, vel in domibus privatis cum saecularibus, et quo iure;

quae sit in utroque casu eorum fama;

quaenam pro dioecesi utilitas;

an catechismum tradant, si Ordinarius requisierit iuxta can. 1334; quo habitu incedant.

79. Si quaestuant ad sint, sive viri, sive mulieres, an canonicae praescriptiones cann. 621, 622, 624 servaverint: an aliquod inconueniens acciderit, vel aliquid sit de hac re animadvertendum.

80. Si congregatio aliqua dioecesani iuris, vel societas sive virorum sive mulierum, in communi sine votis viventium habeantur, Ordinarius de ea, aut de eis, nomen dicat, finem, sodalium numerum, utilitatem, et si quae alia observanda habeat.

81. Referat Ordinarius an aliquod offendiculum cum religiosis habeat in suae iurisdictionis exercitio.

82. Si adsint religiosi viri ordinibus sacris iam initiati, qui *exclaustrati*, *saecularizati* aut *dimissi* a religione fuerint, referat Ordinarius quid de ipsis dicendum iuxta can. 639, 640, 669 seqq.

83. *De religiosis mulieribus* in specie Ordinarius referat:

a) an observentur canonicae leges circa admissionem ad novitiatum, professionem, clausuram, confessarios ac bonorum temporalium administrationem iuxta cann. 512, 513, 520-527, 533-535, 547, 549, 550, 552, 600-605;

b) si quae monasteria monialium superioribus regularibus sint subiecta, an in casibus a iure statutis Ordinario subdantur iuxta can. 500 § 2 et 615;

c) quae vitae activae sunt quibus diversis operibus se addicant, et quo fructu;

d) si sint quae infirmis in privatis domibus adsistant, aut rem domesticam in nosocomiis, Seminariis vel similibus virorum domibus gerant, an cautum sit a periculis quae in his adiunctis observantur, et an aliquid habeatur deplorandum.

CAPUT XI.

De populo fidei.

84. Dicatur quinam sint generatim populi mores: quaenam vita christiana privata in familiis: quaenam publica in oppidis et civitatibus: an in externis pompis et solemnitatibus magis consistat, quam in vero pietatis spiritu. Et si sint differentiae notabiles unius loci ab alio, indicentur.

Quid fiat ut christianae vitae professio, si paululum defecit aut a recta via declinavit, sensim reducat.

85. Qua reverentia clericos, et maxime Episcopum et S. Pontificem, populus prosequatur. Can. 119.

86. Quae sit observantia:

can. 1248 circa praeceptum audiendi sacrum et abstinendi ab operibus servilibus diebus festis;

cann. 1252, 1254 circa abstinentiam et ieiunium;

can. 770 circa sollicitam baptismi collationem infantibus;

can. 859 circa communionem paschalem: quot sint ex viris et ex

mulieribus qui, cum sint professione catholici, nihilominus eam negligunt, facta proportionem pro singulis centenis fidelium ;

can. 863 circa frequentem communionem ;

cann. 865 et 944 circa extrema sacramenta : an sint inter eos qui catholici censentur, qui haec sacramenta differunt, negligunt aut etiam recusant : et dicatur eorum numerus, habita proportione pro centenis ;

cann. 1208, 1239 seqq. circa cremationis reprobationem et funera : dicatur, servata proportione ut supra, quot ex iis qui catholici dicuntur funeribus mere civilibus seu irreligiosis sepeliantur : an id contigat ex nimietate taxarum stolae, an ex alia causa.

87. Circa *matrimonium* : an matrimonia mere civilia, concubinatus et divortia habeantur, et qua proportione ;

an vitia contra sanctitatem matrimonii irreperint ;

quid fiat ut haec mala removeantur.

88. Ubi catholici cum acatholicis mixti sunt, et mixta matrimonia habentur, dicatur numerus horum matrimoniorum tum absolutus tum relativus ad matrimonia non mixta : quatenus exinde detrimenta religioni proveniant :

an serventur ab his contrahentibus clausulae can. 1061.

89. *De christiana educatione prolis* : quomodo generatim parentes et qui loco parentum sunt, in sinu familiae satisfaciant gravissimae huic obligationi, de qua cann. 1118 et 1372 : et quae cura sit ne ab hoc officio fideles deficiant.

90. *De scholis* : an in publicis scholis, praesertim elementaribus, servetur praescriptum can. 1373 de institutione religiosa puerorum.

Et si non, *qualibet de causa* ; an cura sit fidelibus et clero instituendi pro catholicis pueris scholas confessionales, eosque avertendi a scholis acatholicis, neutris, mixtis, iuxta can. 1374.

91. De conditione et statu scholarum confessionalium, praesertim elementarium, enucleate referatur : quomodo sustententur, a quot alumnis frequententur, qualique profectu. Et si scholae confessionales institui non potuerint, indicetur causa :

et dicatur, an per varia opera post-scholastica, hoc est oratoria festiva, Congregationes Marianas, scholas catechisticas, aliisque modis, cautum pro viribus sit praeservationi puerorum et puellarum.

92. De religiosis et piis laicorum *associationibus* : an adsint in dioecesi tertii Ordines saeculares, et confraternitates, illae praesertim *SS^{mi} Sacramenti* et *Christianae doctrinae*, aliaeque piae Uniones potissimum pro iuvenibus : quo numero et quo religionis profectu.

93. An haec associationes servant omnes praescripta :

can. 690 de subiectione erga Ordinarium ;

can. 691 de administrationis modo.

94. An adsint inter catholicos associationes illae, quae *sociales* vocantur, agrorum, operariorum, mulierum in hunc vel alium caritativum finem, vel mutuuum subsidium ; an asyla pro infantibus, patronatus pro iuvenibus, pro emigrantibus etc., circuli pro iuventute, laboratoria pro artificibus, vel pro puellis etc. : quo spiritu agantur : an directioni

et moderationi Ordinarii et Apostolicae Sedis dociliter subsint : quatenus beneficia sive moralia sive temporalia praestent.

95. An cura sit ut qui hisce associationibus sive religiosis et piis, sive socialibus adscripti sunt, in fidei doctrina instituuntur et christianam vitam ducant.

96. An et qua diffusione ephemerides vel diaria obscoena, irreligiosa modernistica vel liberalia dioecesim pervadant :

an libri quoque huius generis diffusi sint :

quid fiat ad tantum malum coërcendum et quo fructu.

97. An massonicae sectae addicti, vel etiam massonicae tabernae in dioecesi habeantur: quanta et quali activitate operam adversus religionem moliantur: quid fiat ad occurrendum huic malo.

98. An socialismi societates habeantur: quot numero, quanti momenti et quali religionis noxa: et quid fiat ad hanc avertendam.

99. Utrum in exercitio iurium politicorum et civilium fideles catholici religionis bono et Ecclesiae libertati pro viribus consulant.

CAPUT XII.

Iudicium sintheticum Ordinarii circa dioecesis statum.

100. Denique Ordinarius, omnibus in universum complexis, dicat, praesertim in prima sua relatione, quid actu sentiat de materiali et morali conditione dioecesis, quae spes melioris status affulgeat, quaenam maiora discrimina immineant.

In sequentibus vero relationibus addat, quomodo et quo fructu ad effectum perduxerit monita et mandata, si quae S. Congregatio in sua responsione ad praecedentem relationem significaverit: et utrum progressus, regressus, an potius idem ferme persistens status in rebus fidei et morum haberi videatur in dioecesi: et quaenam de eo censeantur causae.

Datum Romae, ex aedibus S. C. Consistorialis, die 4 Novembris 1918.

✠ C. CARD. DE LAI, Ep. Sabinen., *Secretarius*.

L. ✠ S.

✠ V. SARDI, Archiep. Caesarien., *Adressor.*

ST. IGNATIUS IS DECLARED THE PATRON OF SPIRITUAL EXERCISES

(July 25, 1922)

CONSTITUTIO APOSTOLICA

S. IGNATIUS DE LOYOLA CAELESTIS EXERCITIORUM SPIRITUALIUM PATRONUS
DECLARATUR

PIUS EPISCOPUS

SERVUS SERVORUM DEI

AD PERPETUAM REI MEMORIAM

Summorum Pontificum haec fuit semper praecipua cura ut quae ad pietatem vitaeque christianae perfectionem magnopere conducere, ea summis laudibus commendarent, validisque incitamentis promoverent. Iamvero inter varia eiusmodi adiumenta insignem sibi locum vindicant

ea quae S. Ignatius divino quodam instinctu in Ecclesiam invexit Exercitia Spiritualia. Quamquam enim, quae Dei miserentis est benignitas, numquam defuerunt qui res caelestes penitus perspectas Christi fidelibus contemplandas apte proponerent, tamen Ignatius primus libello, quem composuit, cum litterarum etiamtum plane rudis esset, quemque *Exercitia Spiritualia* ipse inscripsit, rationem quamdam et viam peculiarem peragendi spirituales secessus docere coepit, qua ad peccata detestanda vitamque, D. N. Iesu Christi exemplo, sancte disponendam fideles mirifice iuvarentur.

Cuius ignatianae methodi virtute factum est, ut summa horum Exercitiorum utilitas, quemadmodum decessor Noster praeclarae memoriae Leo XIII affirmavit, comprobaretur 'trium iam saeculorum experimento . . . omniumque virorum testimonio qui vel ascetos disciplina vel sanctitate morum maxime per idem tempus floruerunt.'¹ Praeter tot tamque illustres sanctimonia viros vel ex ipsa ignatiana familia, qui omnem virtutis rationem ab hoc veluti fonte se mutuatos esse disertissime sunt professi, duo illa Ecclesiae lumina commemorare libet e clero saeculari: S. Franciscum Salesium et S. Carolum Borromaeum. Franciscus enim ut se ad episcopalem consecrationem rite compararet, ignatianis Exercitiis studiose vacavit, in iisque eam vivendi rationem sibi ordinavit, quam semper deinceps tenuit secundum reformationis vitae principia in libello S. Ignatii tradita. Carolus autem Borromaeus, ut fel. rec. decessor Noster Pius X ostendit,² et Nosmet ipsi ante summum Pontificatum editis historiae monumentis demonstravimus, horum Exercitiorum in se vim expertus, quibus ad vitam perfectionem impulsus erat, eorumdem usum in clerum populumque divulgavit. Ex addictis vero religiosae disciplinae sanctis viris feminisque satis est exempli causa nominare illam altissimae contemplationis magistram Theresiam et seraphici Patriarchae filium Leonardum a Portu Mauritio, qui quidem tanti faciebat S. Ignatii libellum, ut omnino eius methodum in animabus Deo lucrandis se sequi confessus sit.

Romani igitur Pontifices hunc parvae quidem molis sed 'admirabilem librum'³ cum iam inde a prima eius editione sollemniter approbarint, laudibus extulerint, Apostolica auctoritate communiarent, deinceps eius usum, tum sanctis indulgentiae muneribus cumulando, tum novis subinde praeconiis honestando, suadere non destiterunt.

Itaque Nos, persuasum habentes temporum nostrorum mala inde maximam partem originem ducere, quod iam non sit *qui recogitet corde*;⁴ comperto autem Exercitia Spiritualia secundum S. Ignatii disciplinam peracta valere plurimum ad infringendas perarduas difficultates, quibus humana societas nunc passim conflictatur; exploratoque laetam virtutum segetem, sicut olim ita hodie, in sacris secessibus maturescere, cum inter religiosas familias sacerdotesque saeculares, tum inter laicos et—quod nostra praesertim aetate mentione singulari dignum est—inter

¹ Ep. *Ignatianae commentationes* ad P. Lud. Martin, Praep. Gen. Soc. Iesu.

² Litt. *Encycl. Editae saepe*.

³ Benedictus XIV in Litt. Apost. *Quantum secessus*.

⁴ Ier. xii. 11.

ipsum opifex; summopere exoptamus, ut usus horum Exercitiorum Spiritualium latius in dies diffundatur et illa pietatis domicilia, quo vel mensem integrum vel octo aut, si id fieri nequit, pauciores dies seceditur, tamquam ad perfectae vitae christianae palaestram, frequentiora usque existant ac floreat.

Quod cum a Deo pro Nostra dominici gregis caritate precemur, Sacrorum Antistitum universi fere orbis catholici ex utroque ritu flagrantissimis studiis votisque satisficientes atque etiam hoc tempore, in quod feliciter tum anni saecularis tertii a Sanctorum honoribus Ignatio tributis, tum quarti ab huius aurei libelli confectione solemnitas incidunt, cupientes Ipsi Nostri in S. Patriarcham grati animi non dubiam significationem dare, proposito Nobis exemplo Nostrorum Decessorum qui alios aliis Institutis Praestites Tutelares attribuerunt, adhibitis in consilium venerabilibus Fratribus S. R. E. Cardinalibus Sacrorum Rituum Congregationi praepositis, auctoritate Nostra Apostolica, S. Ignatium de Loyola omnium Exercitiorum Spiritualium ideoque institutorum, sodalitorum, coetuum cuiusvis generis, iis qui Exercitia Spiritualia obeunt, operam studiumque navantium, Patronum Caelestem declaramus, constituimus, renuntiamus.

Decernimus vero has litteras Nostra firmas, validas et efficaces esse semperque fore, suosque plenarios et integros effectus sortiri et obtinere, contrariis non obstantibus quibuscumque.

Datum Romae apud Sanctum Petrum, anno Domini millesimo nonagesimo vigesimo secundo, die vigesima quinta mensis iulii, Pontificatus Nostri anno primo.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

O. CARD. GAGIANO, S. R. E. Cancellarius.

RAPHAËL VIRILI, Protonotarius Apostolicus.

LEOPOLDUS CAPITANI, Subst. Reg. ex spec. deleg.

Loco ✠ Plumbi.

Reg. in Canc. Ap., vol. XXV, n. 55.

ENCYCLICAL LETTER OF THE HOLY FATHER IMPLORING HELP FOR THE STRICKEN PEOPLE OF RUSSIA

(July 10, 1922)

EPISTOLA APOSTOLICA

AD VENERABILES FRATRES, PATRIARCHAS, PRIMATES, ARCHIEPISCOPOS,
EPISCOPOS ORBIS CATHOLICI: RUSSIS FAME LABORANTIBUS OPEM
IMPLORAT.

PIUS PP. XI

VENERABILES FRATRES

SALUTEM ET APOSTOLICAM BENEDICTIONEM

Annus fere iam est, ut meministis, ex quo decessor Noster desideratissimus, paterno dolens animo de miserrimis Russiae populis, qui, ob calamitatem post natos homines maximam, pestilentia et fame consumerentur, communem miserationem beneficentiamque iis vehementissime

imploravit, simulque cunctos qui rebus publicis praeessent, diligenter curavit admonendos, quantum interesset humanae societatis, ut collatis et consiliis et viribus celeriter efficienterque tot tantisque necessitatibus subvenirent. Item memoria tenetis, Nos quoque, pro eadem, Nobis a Iesu Domino tradita, misericordiae hereditate, cum ad Civitatum legatos, qui Genuam convenerant, sollicitas nuper litteras dederimus, rogantes, darent communiter operam rebus earum gentium in ordinem adducendis, tum ipsis gentibus, quamvis diuturna temporum tristitia ab hac Apostolica Sede seiunctae essent, consolationem verbis amantissimis adhibuisse, declarantes quam cupide earum ad Ecclesiae unitatem reditum expectaremus.

Profecto, his tantis privativim publiceque prementibus omnes fere nationes angustiis, tamen largiter bonorum caritas invitationibus Romani Pontificis respondit. In quo sane eminuerunt—libet enim hic profiteri—subsidiarum vim summa consensione et ratione quadam conferendo, dilecti filii ex copiosioribus Americae regionibus, qui quidem suo beneficio non solum tot aerumnosos sibi, sed humanum ipsum genus obligaverunt. Nec silentio praetereundum est eandem in rem Senatus Americani consulto ingentem pecuniae summam esse decretam.

At vero huiusmodi subsidia malorum immensitati paria minime fuerunt; nec esse poterant. Acerbiores quotidie nuntii perferuntur ad Nos, et miserabiliores usque efflagitationes calamitosorum, in quibus innumerabiles plane sunt, quotquot alieni auxilli maxime indigent ut infantes, ut pueri, ut feminae, ut senes, quibus, nisi mature succurratur, horrida mors obeunda est, aut certe amarissima vita tabescendum.

Itaque, urgente Nos sacrosancto munere, quo fungimur, Pastoris summi Parentisque communis ut hominum universitatem caritate Nostra complectamur, toto animi impetu invocamus vos iterum, Venerabiles Fratres, per vosque, omnes quicumque christiane atque adeo humane sentiunt, ad opitulandum tantis miseriis, ut quo magis illae accreverint, eo amplius dilatentur spatia caritatis.

Quoniam vero—quod vos non fugit—ad huius beneficentiae efficacitatem ac fructum omnino opus est ut stipum et collatio et partitio recte atque ordine fiant, idcirco vestrae erit diligentiae, Venerabiles Fratres, quam accommodatissime rebus, corrogare stipes; quae deinde, per delectos a Nobis viros, eo quo necessitas postulaverit, deferentur, ab iisdem, nullo religionis nationisve discrimine, egentissimo cuique distribuendae.

Cum deceat autem Nos ad hanc rem exemplo factoque Nostro esse aliis hortationi, quantum haec Apostolicae Sedis condicio patitur, libellarum italicarum vices quinquies centena millia eo destinamus. Sed ante omnia humili prece ac supplici instabimus, ut paene infinitae Russorum multitudini, inedia emorientium, quos quidem tanto cariores habemus quanto calamitosiores cernimus, divinam benignitatem conciliemus. Atque auspicem mercedis sempiternae, paternaeque benevolentiae Nostrae testem, vobis, Venerabiles Fratres, itemque omnibus qui miseros fratres adiuturi sunt, apostolicam benedictionem amantissime impertimus.

Datum Romae apud Sanctum Petrum, die x mensis iulii, anno MCMXXII, Pontificatus Nostri primo.

PIUS PP. XI.

LETTER OF HIS HOLINESS PIUS XI TO THE HIERARCHY
OF THE UNITED STATES ON THE PROGRESS OF THE
CATHOLIC UNIVERSITY OF WASHINGTON

(April 25, 1922)

EPISTOLA

AD EŦOS PP. DD. GULIELMUM, TIT. SANCTI CLEMENTIS, S. R. E. CARD. O'CONNELL, ARCHIEPISCOPUM BOSTONIENSEM, AC DIONYSIUM, TIT. SS. NEREI ET ACHILLEI, S. R. E. CARD. DOUGHERTY, ARCHIEPISCOPUM PHILADELPHIENSEM, CETEROSQUE ARCHIEPISCOPOS ET EPISCOPOS FOEDERATARUM AMERICA SEPTENTRIONALIS CIVITATUM: DE CATHOLICA WASHINGTONIENSI STUDIORUM UNIVERSITATE PROVEHENDA.

Dilecti filii Nostri ac venerabiles fratres, salutem et apostolicam benedictionem.—Quandoquidem probe novimus quantum valeant catholica Instituta ad animos mentesque recte conformandos, facere non possumus, ab ipso Pontificatus Nostri initio, quin omnes curas cogitationesque in ea Athenaea nobilissima conferamus quae, ut ista studiorum Universitas, eo consilio sunt condita ut et veritatis magistros parent, et fusius doctrinae christianaeque sapientiae lumen per terrarum orbem diffundant.

Itaque cum semper opus istud amaverimus, ex quo scilicet a decessore Nostro fel. rec. Leone XIII, curantibus quidem americanis Episcopis, constitutum est, tum numquam, occasione data, eorum sollicitiam laudare praetermisimus qui modis omnibus iuvare ipsum contenderunt, persuasum sibi habentes valde admodum usui fore rei catholicae in America domicilium studiorum in quo altius adolescentes virtute sacrisque disciplinis se excolerent. Iamvero inter alias causas, quae, ad Universitatem condendam, ab Episcopis allatae sunt per communes litteras ex tertio Baltimorensi conventu datas, fuit *illa animorum conditio quae . . . penitior potissimum veritatis, tum revelatae tum naturalis, investigatione, sive ex parte populi fidelis, sive praesertim ex parte cleri, contra errores serpentes tutari potest atque in fide roborari*. Hae rationes, iam tum graves, graviore sane in praesens factae sunt, dum ubique pro viribus enituntur omnes ut ordo in societate humana constabiliatur. Patet enim nullam fore huiusmodi restaurationem, nisi recte educetur iuventus; nec educatio quaelibet apta est ad assequendum finem, sed illa dumtaxat in qua ipsa scientiae institutio religione ac virtute, tamquam fundamento, nititur, quamque Ecclesia modis omnibus commendare non cessavit.

Verum cum oporteat omnino ut studiosa iuventus ardore simul caleat doctrinae ac pietatis, praesertim magnam Dei Matrem colendo, quae est pariter *Sedes sapientiae* et *Fons pietatis*, ideo optimum sane consilium inierunt americani Episcopi nationalem aedem Immaculatae Conceptionis apud Universitatem catholicam exstruendi: est enim consentaneum ut prope scientiae templum etiam *Domus orationis* exsistat, propterea quod *pietas ad omnia utilis est . . . et scientia sine pietate inflat*. Hac de causa Nos, non secus ac decessores Nostri fel. rec. Pius X

ac Benedictus XV, paterna sane benevolentia cum Universitatem tum novum sacrae aedis coeptum prosequimur; ac precamur ut quantocius id magnum perficiatur opus, ex quo tamquam e sede benignitatis suae, Virgo Mater caelestia salutis et sapientiae munera per Americam universam dilargietur.

Itaque, venerabiles fratres, ad finem illum animos vestros revocantes, quem sibi proposuerunt decessores vestri in Universitate condenda, id curetis optamus ut eundem finem adipiscamini secundum normas Litterarum Apostolicarum *Magni Nobis gaudii*, quibus quidem Leo XIII constitutionem ipsam in usum deduxit. Ita vos haec facile consequemini: 1) ut lectissimi de clero populoque viri instituantur qui a doctrina rite instructi, et Ecclesiae laudi erunt et catholicam fidem explicare tuerique poterunt; 2) ut doctores deinceps seminariis vestris, collegiis et scholis in omne tempus parentur, iique non modo omni numero exculti, sed etiam genuino sensu catholico penitus imbuti; 3) ut perfecta denique conspiratio et unitas habeatur in iuventute recte fingenda; quod quidem magni ponderis est, praesertim in America, ubi educandi ratio tam certis firmisque principiis regitur ut similitudinem quamdam atque formam Instituta omnia inter se praeférant.

Equidem probe intelligimus, non unam tantum sed plures Universitates studiorum opportunas esse in tanta patriae vestrae amplitudine; verum male novis huius generis operibus consuleretur, si ea imperfecte evaderent vel in eis numerus desideraretur et incrementum Facultatum ipsarum. Pluribus enim Universitatibus imperfectis una est anteposenda quae sit rebus omnibus instructissima. Haec sane fuit Episcoporum Americae sententia, cum a Sede Apostolica petierunt ne constitutio probaretur aliarum Universitatum vel eidem favor praestaretur, donec Episcopatus ipse voluntatem suam in hac re non ostendisset. Quod quidem desiderium secuta, Sacra Congregatio de Propaganda Fide, per rescriptum die xxiii mensis martii MDCCCLXXXIX datum, ea declarans quae iam a Leone XIII in Apostolicis Litteris *Magni Nobis gaudii*, edicta fuerant, prohibuit quominus aliae Universitates vel instituta similia in America conderentur, priusquam omnes ordinariae Facultates in catholica Universitate Washingtoniensi constitutae essent.

Ac plane opportuna prudensque fuit haec prohibitio, praesertim si consideretur multas alias esse hodie communes necessitates, easque gravissimas, quae caritatem fidelium ac beneficentiam expostulant. Huc accedit quod Washingtoniense Institutum, praeceptores parando futuris Universitatibus, exemplar praeclarissimum erit omnibus atque efficax unitatis vinculum, si bonorum omnium conatu, ductu quidem Americae Episcoporum, plene idem cumulateque perficietur. Id enim reminisci oportet, in Universitatem scilicet conferendas esse, uti constat ex sapienti Constitutione Leonis XIII, omnes curas cogitationesque totius americani Episcopatus; quod si paucis, necessario, ea committitur regenda atque administranda, omnibus tamen cordi incrementum eius esse debet, cum in bonum omnium Americae dioecesium eadem excitata sit. In hanc rem necesse est omnino, venerabiles fratres, ut certum vos ac definitum coeptum seu *programma*, collatis consiliis, proponatis, quo

melius ipsa Universitatis emolumenta, quae expectantur, assequamini. Hoc coeptum—quod vos certe comprobatione Nostrae quantocius subii-
cietis—optatos fructus laturum esse confidimus, potestatem dando tum
Facultates novas condendi, tum necessariam pecuniae vim expeditius
colligendi atque administrandi. Etenim non dubitamus quin iste clerus
populusque—cuius quidem munificentiae tam mira exstant omne genus
monumenta—Pastorum exemplum studiose sequens, largiter sane liben-
terque, uti solet, saluberrimum Universitatis suae opus iuvare velit.

Nos vero, quoniam experiendo novimus cum egregiam fidem vestram
erga Iesu Christi Vicarium, tum studium animarum impensissimum,
futurum speramus ut hae litterae efficaciter conferant, Deo favente, ad
communem nisum augendum quo catholicae disciplinae cultus cotidie
magis istic provehatur.

Ita magnum Nobis afferetis adiumentum in Apostolico hoc munere
perfungendo quod Dei Providentia, arcano quidem consilio, Nobis com-
missum voluit; vosque magnam capietis ex conscientia officii vestri
laetitiam cum regni Iesu Domini in terris tam sedulo amplificare fines
contenditis. Qua spe laeti, ac laetissima quaeque precati, in auspiciis
caelestium donorum, itemque ut praecipuae benevolentiae Nostrae
signum vobis, venerabiles fratres, universoque gregi unicuique vestrum
concredito, apostolicam benedictionem effuso animo impertimus.

Datum Romae apud Sanctum Petrum, die xxv aprilis, anno MCMXXII,
Pontificatus Nostri primo.

PIUS PP. XI.

DECREE REGARDING INDULTS GRANTED FOR THE PRO- ROGATION OF THE GENERAL CHAPTER OF RELIGIOUS ORDERS AND CONGREGATIONS

(July 23, 1922)

SACRA CONGREGATIO DE RELIGIOSIS

DECRETUM

CIRCA INDULTA PROROGANDI CAPITULUM GENERALE

Factum est aliquando, praecipue durante bello, ut haec Sacra Con-
gregatio alicui Ordini aut Congregationi religiosae indultum prorogandi
celebrationem Capituli generalis ob peculiaria temporum aut rerum
adiuncta concesserit cum clausula 'ad nutum S. Sedis.'

Ne autem diutius Capitulorum generalium celebratio differatur,
Sacra Congregatio de Religiosis, omnibus diligenter perpensis, mandat
ut quaelibet Religio aut Congregatio religiosa, quae indultum cum prae-
dicta clausula obtinuerit, Capitulum sine mora celebrare debeat, non
ultra finem proximi anni 1923. Curent ergo Superiores generales ad
quos pertinet, Capitulum ita mature convocare ad normam constitu-
tionum, ut intra praedictum tempus eius celebratio locum habere possit.

Contrariis quibuscumque minime obstantibus.

Datum Romae, ex Secretaria Sacrae Congregationis de Religiosis,
die 23 iulii 1922.

C. CARD. LAURENTI, *Praefectus*.

MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

L. ✠ S.

DECREE FOR THE BEATIFICATION AND CANONIZATION OF
THE VENERABLE SERVANT OF GOD, JOANNA ANTIDES
THOURET, FOUNDESS OF THE SISTERS OF CHARITY

(July 8, 1922)

SACRA CONGREGATIO RITUM

NEAPOLITANA SEU BISUNTINA

BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVAE DEI IOANNAE ANTIDAE
THOURET, FUNDATRICES INSTITUTI SORORUM A CARITATE

SUPER DUBIO

An constet de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum; nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis, in gradu heroico, in casu et ad effectum, de quo agitur?

Quemadmodum est in more positum, atque ipsa cuiusvis adstruendae demonstrandaeque quaestionis fert postulatque natura, circa probationem instructum, quibus praenobilis haec regitur et sustentatur Causa, diu copioseque in primis est disceptatum eo sane consilio, ut eadem, quae in medium proferuntur, probationes, utrum tales revera essent, quales e praescripto iuris requiruntur, certum fieret atque explorant.

Equidem, cum primum, anno millesimo octingentesimo nonagesimo quinto, in ecclesiastica Neapolitana curia super sanctitatis vitae, virtutum et miraculorum fama Ancillae Dei Ioannae Antidae Thouret canonica episcopali iure inita est inquisitio, cunctos inter, qui auditi tunc perpensisque fuerunt testes, tres dumtaxat vix invenire fuit, qui eandem noverant Dei Famulam. Quibus idcirco tribus tantummodo testibus proprie vereque iuridica confici debuisset probatio, quandoquidem, vel ipso communi efflagitante iure, cum oculati suppetunt testes, si qui de auditu praeterea occurrant, ii nonnisi adminiculi loco sunt habendi. Idque eo vel magis ad istas, transferri est opus Beatificationis et Canonizationis causas, quo excellentia earum praestat atque gravitas: inde profecto fit, ut, quum prae omnibus, quae in humanis adhibentur probationibus, nulla potior illa dari possit atque dignior, quae ex oculatis promonat testibus; ea quippe *rem facit physice evidentem testibus, qui viderunt, et insimul facit moraliter in summo gradu evidentem iudicibus, qui non viderunt* (Benedictus XIV, lib. III, cap. 1, n. 2); isthaec proinde hisce in Beatificationis et Canonizationis causis, velut ordinaria et propria, existimanda sit probatio, utpote quae ipsarum queat exaequare gravitatem. Et revera, si de peculiari quodam sermo nunc esset factio eoque satis angustos praefinitosque inter limites circumscripto, nullum dubium, quin eiusmodi probandi factum totum ferendum esset onus a tribus praefatis de visu testibus. Sed de virtutibus modo quaestio quum esset, pro iis dignoscendis certoque diiudicandis universam compertam habere oportet vitae Servae Dei seriem eiusque agendi rationum; ad hoc vero insufficientes omnino planeque impares tres illi exsistunt testes;

ideoque, ut ipsius expediendae Causae adesset potestas, ad beneficium seu privilegium confugere necesse fuit indirectae seu subsidiariae, quam vocant, probationis.

Haec autem quum sita in eo sit, ut e testibus coalescat de auditu quandoque a videntibus quandoque non, variisque roboretur adminiculis, idoneis ad vim et auctoritatem faciendam, iam facile patet quantum praedicto ex capite superior exstet seque prodat huiusce, de qua agitur, conditio prae nonnullis aliis antiquis Causis. In istis enim, dilato per plura interdum saecula iudicialium actorum initio, traditionem oralem, hoc nomine dignam, a rumore quodam vel a fama apte discernere difficile saepenumero evadit negotium. Hominum namque singulae repetendae lustrandaeque sunt ante actae aetates, ut innotescat, an oralis traditio ab oculatis testibus suam traxerit originem et per viventium subinde sermones iugiter constanterque perseverans ad novissima haec usque manaverit tempora. Aequalia insuper afferenda sunt documenta iisque praedita notis dotibusque, quas sanae critices deposedunt normae. Iamvero, etsi eadem indirecta seu subsidiaria superius descripta iudiciali probatione, rei quadam necessitate, in ista quoque sua, quam agunt, Causa, uti fruique cogantur actores, eoque posito probandi genere, duplicandus propterea erit miraculorum numerus, *ut quod ex humano testimonio deest, divino compensetur*: nihilominus, dum in praesenti Causa coaeva fideque historica digna minime desiderantur documenta, ad testes autem quod potissimum attinet, ne oculati illi tres vix recenseri videantur, in ordinaria quaestione rogati, nedum in hoc eodem ordinario processu, sed in ipsis etiam apostolicis inquisitionibus qui excussi fuerunt, maxima ex parte, testes sunt de auditu a videntibus. Quod sane idem profecto est ac dicere, ipsum iam in propatulo esse primigenium oralis traditionis fontem, quin ulterius ullimode inquirendus sit seduloque pervestigandus.

Ita ab extrinseca allatarum probationum facie, ad intimam digredienti ipsarum probationum substantiam cuique prudenti viro magni ponderis maximeque cum totius Causae summa conjunctum visum hoc fuit, ut videlicet naviter attenteque eam quaereret perspectamque sibi facere studeret, qua in christianis tractandis virtutibus venerabilis Serva Dei Ioanna Antida Thouret praedita fuerit, animi comparisonem. Quumque, per integram discurrendo ipsius Famulae Dei aetatem, instituisset ille inquisitionem, inquisitionis eiusdem exitus hic fuit, ut nimirum, quoties de caritate Dei deque proximorum caritate, de incolumi servando tuendoque omnium pretiosissimo catholicae fidei thesauro, de offensa Dei vel minima vitanda, de proprii muneris fideliter religioseque adimplendis partibus agebatur, toties eandem suspicere licuerit et admirari Dei Ancillam adeo promptam paratamque, ut medias inter gravissimas internas externasque difficultates, quin subsisteret umquam, multoque minus regrederetur, alacriori immo infractoque animo illud prosecuta usque fuerit christianae perfectionis iter, quod mature admodum generoseque fuerat ingressa. Quam ob rem, quum per integrum suae vitae cursum, a prima nempe aetate ad obitum usque, ea, ceu nuper videre fuit, se gesserit ratione Dei Famula, heroice eadem se

gessisse dicenda est, prout ex ipsa descendit vera atque germana herocitatis notione. Neque heroicam venerabilis Ancillae Dei virtutem plus semel eclipsum fuisse passam facta ostendunt, quae, ut contra facerent, in medium fuerant prolata. Nam, si, uti oportet, una simul cum omnibus peculiaribus adiunctis, sicut reapse acciderunt, eadem inspiciantur et pensentur facta, statim tunc levique negotio confirmatur et patescit, aut heroicæ non repugnare virtuti, aut cum ea posse componi, aut etiam heroicam virtutem firmare magis atque in maiorem meritamque lucem proferre, quemadmodum qua diligentia praeostat ac dexteritate suadere et evincere pro viribus adnitus est Patronus egregius.

Hac itaque via et ratione planam potius atque expeditam praeclarca Causae huius sese perhibuit diiudicatio, post exornatam praesertim sacroque huic Ordini exhibitam additionalem Apostolicam inquisitionem Bisuntinam, ita nempe, ut, quae, heroicis super virtutibus abhinc quinquennium fuerat instituta, perfici absolviq̃ue potuerit actio; binas siquidem quae praecesserant Congregationes, anteparaeparatoriam scilicet et praeparaatoriam, generalis subsecuta est Congregatio, quae die vigesima septima superioris mensis iunii, coram Sanctissimo Domino nostro Pio Papa XI coacta fuit. In qua a Revmo Cardinali Ianuario Granito Pignatelli di Belmonte, causae Relatore, sequens ad discutiendum propositum est Dubium: *An constet de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum; nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis Venerabilis Servae Dei Ioannae Antidae Thouret, in gradu heroico, in casu et ad effectum, de quo agitur?* Omnes qui convenerant tum Revmi Cardinales tum Patres Consultores sua quisque ex ordine suffragia ediderunt, quibus tamen auditis et perpensis, Sanctissimus Dominus noster adstantibus indixit preces, quarum ope Ipse a Spiritu spaientiae et consilii ad supremum proferendum iudicium illustraretur. Quumque mentem Suam aperire statuisset, hodiernam designavit diem Dominicam V post Pentecosten; eapropter, divina Hostia ferventer oblata, ad Vaticanas Aedes arcessiri iussit Revmos Cardinales Antonium Vico, Episcopum Portuensem et S. Rufinae, sacrae rituum Congregationi Praefectum, et Ianuarium Granito Pignatelli di Belmonte, Episcopum Albanensem, causaeque Relatorem, una cum R. P. Angelo Mariani, Fidei Promotore generali, meque insimul infrascripto Secretario, eisdemque adstantibus, solemniter pronuntiavit: *Ita constare de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum; nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis venerabilis Servae Dei Ioannae Antidae Thouret, in gradu heroico, ut procedi possit ad ulteriora; ad discussionem nempe quatuor miraculorum.*

Hoc autem Decretum publici iuris fieri, et in acta sacrae rituum Congregationis referri mandavit septimo idus iulii, anno MCMXXII.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

ALEXANDER VERDE, Secretarius.

L. ✠ S.

DECREE FOR THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, CONTARDUS FERRINI, DOCTOR AND PROFESSOR

(July 6, 1922)

SACRA CONGREGATIO RITUUM
MEDIOLANEN.

BEATIFICATIONIS ET CANONIZATIONIS SERVI DEI CONTARDI FERRINI, VIRI
LAICI, PROFESSORIS ATHENAEI PAPIENSIS ET ALIORUM

Inter illustres Ecclesiae filios in statu et conditione saeculari viventes, quos haec alma mater omni tempore Christo genuit, eiusque fide, lege et gratia instruit ac sanctificat, merito recensendus est Contardus Ferrini, alumnus, doctor ac praeceptor in Universitate studiorum, ingenio, doctrina et virtute notus atque clarus, simulque societatis religiosae et civilis decus et ornamentum. Mediolani ortus die 4 aprilis anno 1859, parentes probitate ac religione praestantes sortitus est, Rinaldum, scientiarum naturalium cultorem et professorem, et Aloisiam Buccellati, cuius amore, solertia morumque suavitate, animorum consensio atque integritas in familia servabantur. Eadem die natali Dei Famulus sancto baptismo regeneratus, deinde, anno 1863, sacro chrismate confirmatus, ad sanctam Synaxim primitus admissus est. A pueritia catechesi, orationi aliisque pietatis exercitationibus diligenter intentus, utpote ex filiis natu maior, operam parentibus libentissime suppeditabat auxiliariam in educatione christiana fratris ac sororum. Elementariis atque gymnasii studiis in Instituto Boselli cum laude absolutis, Lycaeum, Beccariae nomine honestatum, adiit. Papiam deinde concessit pro studiis Universitatis, ibique, inter Collegii Borromaei alumnos adscitus, a moderatoribus et condiscipulis optimum disciplinae, studii ac pietatis retulit testimonium. Inter cetera fertur quod ipse, mense mariali, sodales perducere satagebat ad aliquod templum, praesertim Ss̃mi Nominis Iesu. ad audiendos sermones de Beatissima Maria Virgine, de qua, etiam saepissime familiariter conversando, eos cum intellectu et fervore alloquebatur. Emenso Athenaei curriculo atque certamine feliciter superato, plenis suffragiis pecuniarium praemium consequutus est, studiis superioribus in extero Athenaeo perficiendis assignatum; ideoque Berolinum anno 1880 missus est, ut in illa celebrata Universata scientiam iuris uberius acquireret.—Litteris munitus, quibus Episcopus Papiæ Riboldi Episcopo Breslaviae iuvenem sibi notissimum et, quod maxime refert, virtutum laude acceptissimum, commendabat, Contardus Ferrini illuc pervenit, ibique numquam de pristino vivendi more remisit. Ad ecclesiam sanctae Ursulae et ad Sacra saepe accedebat singulisque diebus festis ac dominicis divino convivio se recreare curabat, ecclesiam quoque sanctae Edwigris adibat, ubi solemnia peragebantur, quandoque cum processione augustissimi Sacramenti. Egregium fidei ac devotionis spectaculum, quod in hac ecclesia die dominica exhibebatur, suis amicis Contardus ita scripto narrabat: ‘Se vedeste, la domenica mattina, il numeroso stuolo di studenti cattolici universitari in sant’Edwige, ove

si raccolgono, assistere per piu di due ore in devoto raccoglimento alle funzioni della Chiesa, trasecolereste di meraviglia e benedireste meco il Signore, che davvero *non fecit taliter omni nationi*. Eravamo tutti fratelli, tutti partecipi della stessa fede ed animati dagli stessi sentimenti. Nauseato tante volte al triste spettacolo di corruzione, mi rallegrava tanto sorriso di cielo su quelle fronti giovanili, che aspettavano meco con gioia tranquilla e serena il Corpo di Cristo' (*Scritti religiosi*, pag. 56 et 240). Spectaculum vere magnum et iucundum, Deo, angelis, hominibus acceptissimum, maiore numero et splendidiore forma, Romae, in hac sancti Petri sede, nuperrime removatum et amplificatum, occasione faustissimi et internationalis XXVI Congressus Eucharistici! Interim Contardus primum inter Athenaei catholicos sodales se adscripsit eisque, leges contra Ecclesiae iura ac libertatem in illa regione latas improbantibus, libentissime adhaesit. Deinceps, piis consociationibus sancti Vincentii a Paulo et Ssmi Sacramenti nomen dedit, illarumque officia caritatis et religionis fideliter observavit. Unde Episcopus Breslaviensis, litteris ad Episcopum Papiensem Riboldi datis, iuvenem Ferrini potentem lingua germanica, scientia et pietate appellavit, simulque congratulatus est Italiae si multos possideret iuvenes Contardo similes.—Studiis romani iuris feliciter expletis et a germanicis professoribus maxime commendatus, Dei Famulus, scientiae causa, Parisiis aliquantulum diversitas est, inde Romam venit, ubi tres menses mansit, non solum ad perfectiorem iuris romani cognitionem ex bibliothecis Urbis et peritorum consultationibus hauriendam, sed praecipue ad civilitatis et religionis catholicae trophaea et monumenta invisenda, ad sanctorum Apostolorum Petri et Pauli, principalium Urbis patronorum, sepulcra veneranda et ad Romanum Pontificem, Petri successorem et Christi Vicarium, devotissimo amoris, fidei et obedientiae testimonio honorandum. Quod religiosissime praestitit, quando a Leone Papa XIII, fel. rec., in vaticanis aedibus benignissime exceptus atque augusta praesentia et paterna benevolentia recreatus, ab eodem Sacrum litante, et ipse adsistens, caelesti pabulo sancte refectus et delectatus fuit.—Volvente anno 1884, Dei Famulus, viginti quatuor annos tantum agens, scientiam iuris tradidit in Papiensi Athenaeo. Paulo post, nempe anno 1887, facto periculo victor, Messanam petiit, ibique iuris magisterium exercuit. Anno autem 1890 in Mutinensi Athenaeo, doctoribus et discipulis collaetantibus, in doctorem iuris electus est. Denique, mense octobri anni 1894, in Papiensi Athenaeo, unanimi doctorum suffragio, praeceptor inter ipsos cooptatus est.—Ubique scientiae et pietatis praeclaras exhibuit demonstrationes, consalutatus uti sancti Ioannis Berchmans imitator. Illius optima vivendi ratio et in veritate propaganda apostolatus, mirifice patent et illustrantur tum ex pluribus gravibusque scriptis editis, tum ex doctis ac eruditis disputationibus, tum demum ex concordi cuiusque ordinis civium ac sapientum testimonio. Neque solum litterarum et scientiarum libros pervolutabat, sed mentem ac pietatem assidue fovebat lectione Sacrae Scripturae, praecipue Epistolarum sancti Pauli, atque operum sanctorum Patrum et Ecclesiae Doctorum, necnon Ludovici de Ponte *Guida spirituale* et Thomae a Kempis *De imitatione Christi*.

Ferunt Contardum quotidie Sacro interesse, caeleste pabulum recipere, augustissimum Sacramentum visitare, spiritalibus industriis sese aliosque perficere, reverentiam et obedientiam sanctae Ecclesiae eiusque visibili capiti Romano Pontifici sincera mente, totoque corde et ore profiteri, atque Ecclesiae iurium strenuum defensorem, potissimum in rebus iuridicis et socialibus, constanter se praebere. Papiæ sedem et domicilium habens, dum vacationum tempore Sunae apud suos propinquos rusticari solitus erat, itemque Mediolani apud parentes morabatur, Contardus, in tantam civium et exterorum existimationem devenit, ut eum Ferrinianae familiae alterum Aloisium vocare non dubitarent. Alacri studio Ecclesiae et societatis civilis utilitatem provexit, piis operibus tutandis et christiani matrimonii sanctitati et indissolubili unitati vindicandae, ne a nefanda divortii lege rescindi attentaretur. Doctrinis falsis et peregrinis prorsus alienus, continuo magnam spem fovebat, ut humana societas, cooperantibus bonae voluntatis et utriusque sexus personis et institutionibus, una cum legitimis liberisque scholis, lycaeis et athenaeis catholicis, bonis christianisque principiis et moribus informaretur. 'Faxit Deus—aiebat—ut ego videam Crucem Christi debito honori ubicumque terrarum restitutam: tunc libenter studioseque cantabo canticum: *Nunc dimittis, Domine, servum tuum in pace!*' Quod Contardus concupivit et videre non potuit, immatura morte praereptus, atque omnes sanae mentis et actionis adhuc exoptant, omnipotente et miserante Deo, eiusdem humanae societatis auctore et gubernatore supremo, desperare non licet.—Itaque, die 5 octobris anno 1902, Dei Famulus, quum ab ecclesia Sororum Ursularum, ubi sanctissimam Eucharistiam sumpserat, rediret, vehementi febris correptus, morbo magis in dies ingravescente, Sacramentis morientium et benedictione papali refectus ac roboratus, preces iaculatorias in Iesum Redemptorem et in Deiparam Virginem Mariam ingeminans, oculis manibusque in caelum elevatis, ad beatam patriam evolavit, die decimasextima eiusdem mensis et anni, in aetate quadragintatrium tantum annorum.—Exsequiis ritu solemnibus celebratis, cuiusque ordinis civibus convenientibus, corpus Contardi Ferrini, prius in sepulchro, dein in conditorio a familia exstructo depositum est, adstantibus ultra centum quinquaginta adolescentibus cum viris ecclesiasticis et laicis, atque sermones in laudem defuncti habentibus parochia Bongiovanni et professore Meda, publica ac meritis-simae existimationis et venerationis contestibus.—Interea fama sanctitatis quam Dei Famulus Mediolani aliisque in locis, ubi commoratus fuerat, vivens sibi acquisierat, post eius obitum magis clara et diffusa, R. D. Caroli Pellegrini, praepositi parochi Basilicae Sancti Calimerii, solerti cura, Archiepiscopalem Curiam Mediolanensem permovit ad acta processualia super ea, Ordinaria auctoritate, conficienda, aliis quoque processibus rogatorialibus aucta. Quibus omnibus absolutis et Romam ad sacrorum rituum Congregationem transmissis, servato iuris ordine, atque scriptorum revisione rite peracta, quum nihil obstet quominus ad ulteriora procedatur, instante Rmō Dño Angelo Rotta, Basilicae Vaticanae Canonico, huius causae postulatore, attentisque litteris quorundam Eñmorum S. R. E. Cardinalium, praeunte Archiepiscopo Mediolanensi

Cardinali Andrea Ferrari, fe. rec., inter quos merito ac iure commemorantur Iosephus Sarto, postea Pius Papa X., Iacobus Della Chiesa, postea Benedictus Papa XV, et Achilleus Ratti, hodie Beatissimus Pater Pius XI, qui tantum virum Mediolani novit eiusque bonis verbis et exemplis instructus, optimum de ipso tulit testimonium, hanc Causam usque in praesens peculiari favore prosecutus, rogatu quoque plurium Archiepiscoporum et Episcoporum, itemque Capitulorum, Ordinum et Congregationum religiosarum, necnon illustrium virorum, praesidium ac professorum e publicis Lycaeis atque Athenaeis Italiae atque exterae regionis, Eñus ac Rñus Dñus Cardinalis Raphaël Merry del Val, Patriarchalis Basilicae sancti Petri Archipresbyter et eiusdem Causae Ponens seu Relator, in Ordinariis sacrorum rituum Congregationis comitiis subsignata die ad vaticanas aedes coadunatis, sequens dubium discutiendum proposuit: *An signanda sit Commissio introductionis Causae, in casu et ad effectum de quo agitur?* Et Eñi ac Rñi Patres sacris tuendis ritibus praepositi, post relationem ipsius Eñi Ponentis, audito etiam voce et scripto R. P. D. Angelo Mariani, Fidei promotore generali, omnibus accurate perpensis, rescribere censuerunt: *Affirmative, seu Commissionem esse signandam, si Sanctissimo placuerit.* Die 4 iulii 1922.

Facta postmodum super his Sanctissimo Domino nostro Pio Papae XI per subscriptum sacrae rituum Congregationis Secretarium relatione, Sanctitas Sua rescriptum eiusdem sacrae Congregationis ratum habens, propria manu signare dignata est Commissionem Introductionis Causae beatificationis et canonizationis Servi Dei Contardi Ferrini, viri laici, professoris Athenaei Papiensis et aliorum, die 6 eisdem mense et anno.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

ALEXANDER VERDE, Secretarius.

L. ✠ S.

REVIEWS AND NOTES

THE CHURCH AND LABOUR. By John A. Ryan, D.D., LL.D., and Joseph Husslein, S.J., Ph.D. London: Harding & More, Ltd.

THIS volume of 300 pages is the first of a series that will endeavour to present, adequately and authoritatively, the Catholic doctrine on industrial, social, and political institutions, and relations. It is essentially a collection of documents issued by Popes, Cardinals, Bishops and lesser authorities. But it is more than a simple collection. It presents all the authoritative Catholic doctrine on the subject it covers and it also enables the reader to trace the continuity of the doctrine and its essential unity. It is of advantage not only to have all the important declarations on the subject within the covers of a single volume, but, for the student of industrial thought, it is also useful to trace the continuity and the unity of the Church's teaching.

The question is often asked—What has the Church to do with politics or with business? It is a captious but a superficial question. Politics as well as business involves questions of right and wrong, of justice and injustice, and, in so far as that is so, the Church has everything to do with politics and business. If the authorities of the Church, then, formulate statements on these great questions, are these mere expressions of opinion, or are they rather part of a traditional doctrine and the application of that doctrine to particular cases? When gathered together do these statements not form a body of doctrine which can clearly be called the Church's doctrine, especially when we find a wonderful agreement in essentials and in many details? If so, then we have in the present volume a formal and definite teaching of the Church concerning the great social organizations that affect and determine individual conduct, and concerning the relations into which men enter as members of these societies. Moreover, in the words of Pope Leo's Encyclical, 'no practical solution of this [the labour] question will be found apart from the intervention of religion and the Church.' That is the formal justification of this great encyclical, and it is likewise the justification of every other pronouncement on the industrial problem by Pope, Bishop, or priest. Indeed, it was largely because the leaders of thought and of affairs, economists, politicians, and business men, denied or ignored the moral aspects of industrial relations for more than half a century following the Industrial Revolution, that modern Capitalism has produced so much misery, oppression, and revolutionary discontent. Pope Leo, and every other Churchman whose utterances appear in this volume, proceed from the principle that industrial actions and relations are quite as definitely within the field of responsible conduct and quite as definitely governed

by the moral law as any other kind of human activity. Hence all these writers apply the principles and precepts of the moral law to the conditions of industry, pass moral judgments upon reform proposals, and even recommend practical measures of betterment. In following this course they maintain that they are fulfilling their proper and divinely ordained mission, which is to teach men not only what to believe but how to live.

The present volume consists of five divisions: I. The writings of the two great precursors of modern Christian Democracy, Frederic Ozanam and Bishop Ketteler; II. The Encyclicals of three Popes, Leo XIII, Pius X, and Benedict XV.; III. The Pastorals of four Cardinals, Gibbons, Manning, O'Connell, and Bourne; IV. The Pastorals of the Bishops of four countries, Ireland, America, France, and Germany; V. Papers by the Editors on a Living Wage, Reconciliation of Capital and Labour, and a Catholic Social Platform.

It would be wrong to infer from this table of contents that Frederic Ozanam was the first prominent Catholic to discuss the labour question. In the thirteenth century—to go no further back—St. Thomas Aquinas dealt with the ethics of wages; the great writers on justice in the sixteenth and seventeenth centuries, for example, Lugo and Lessius, treated the same subject with considerable particularity. The series of documents in the present volume begins with the works of Ozanam and Ketteler, because those were the first important Catholic authors who dealt with the labour question in its modern form. Inasmuch as the system known as Capitalism originated less than a century and a half ago, it is not surprising that the first important discussions of its moral and religious aspects appeared only in the first half of the nineteenth century. A still more significant fact, but one that probably will not occur to the majority of readers, is that the doctrines of Ozanam and Ketteler on social and industrial questions were at once original and traditional. They were original in the sense that they had not been enunciated by any previous Catholic authority. Ozanam and Ketteler had before them no papal encyclical as a guide and inspiration. The moral judgments that they uttered on contemporary industrial practices and on current proposals of reform, many of the moral principles that they enunciated for the abolition of industrial evils, and most of the economic proposals of betterment that they defended, had never been expressed by a Pope, nor indeed by any important Catholic.

On the other hand, their teaching contains no innovation, and is in complete harmony with the traditional doctrines of the Fathers and the theologians. A comparison of Ketteler's account and conception of the traditional principles with the discussion of the same principles in Cardinal Bourne's pastoral will show that the two historical interpretations are in complete agreement. A striking confirmation of the dependence of Ozanam on tradition is seen in the circumstance that his utterances on social and labour questions occur not in any formal treatise in this field, but in lectures and discussions on historical subjects. In the history of the Church and her social teachings, he found the basis for those views

to which he gave expression on the social question. He, as well as Ketteler, found in Catholic tradition, indeed, no specific discussion of the Capitalist system or its constituent elements, but they did find therein the general moral principles pertinent to all forms of industrial organization. Their task was to apply these to the new industrial order. The principles were old and traditional because they were derived from the Decalogue and the natural law. The application was new and original because the system of industry and industrial relations had been in existence for only half a century.

Still another striking fact about Ozanam and the Bishop of Mayence is that their social teachings, not only in general outlines but in most of the specific details, are in complete agreement with the pronouncements, even the most recent, of the Popes, Cardinals, and Bishops who came after them. Their writings are the connecting link between the social principles of Catholic tradition and the authoritative and explicit Catholic social teaching of the present day. Ozanam and Ketteler are competent and convincing witnesses to the continuity of Catholic social principles. When we read Ketteler's discussion of co-operative production, written more than half a century ago, and then reflect that not a few prominent persons of to-day, including some Catholics, denounce the whole idea of co-operative production as Socialistic, and even as Bolshevistic—we are forcibly reminded that the great Bishop of Mayence was truly a pioneer, and that he anticipated many of the proposals and projects of industrial betterment which are still contested and still unrealized. Indeed, his programme of social and political reform is still regarded as 'advanced' by a considerable portion of society. And yet it was all based upon traditional Catholic principles and institutions.

By far the most important of the documents contained in the present volume is Pope Leo's Encyclical on the *Condition of Labour*. This is not merely a code of moral principles applicable to industrial conditions and relations. It is at once a description of industrial evils, a condemnation of the spurious remedies proposed by Socialism, a statement of the leading moral and religious principles that underlie all sound economic life, and a proposal of concrete measures of social reform, whilst emphasizing the fact that no practical solution of the labour question will be found apart from the intervention of religion and the Church. The famous principle of the Living Wage, enunciated by Pope Leo thirty-one years ago, has a special chapter devoted to it by one of the editors. The principle was then looked upon by men of affairs as impertinent and utopian; now it is universally accepted. A full discussion of all that the principle means is given by Dr. Ryan. It is practical and reasonable. The basis of the right to a living wage may be the subject of difference of opinion, but it is a difference of viewpoint rather than of principle. Dr. Cronin's opinion is that a wage which is not sufficient to provide reasonable comfort is not the just equivalent of the wage-earner's labour. Dr. Ryan bases the right on three principles: the equal right of access to the earth for man's support, the universal obligation to perform a reasonable amount of useful labour, and the moral obligation of those

who control the resources of the earth to permit others to have access thereto on reasonable terms. From these principles to the principle that a labourer has a right to a living wage the transition is logical and certain. Pope Leo based the right on the fact that the labourer's wage is his only means of livelihood, and that for him access to the resources of nature can be had only through wages.

Another important chapter is that on the Reconciliation of Capital and Labour, namely, through Co-operation. The system of Co-operative Societies is fully described and discussed, and useful hints are given for its proper and successful management. We must not omit to say how useful to the student of social problems is the grouping in one book of the deliberate opinions of the ecclesiastical authorities of various countries on the conditions obtaining therein and of the remedies they propose. Germany, France, and America will provide us with many object lessons in social unrest, but the Bishops of these countries have many wise, patriotic, and practical solutions to offer. The Ireland of the future can look back to the disasters and failure in socialization in many countries because of the neglect of the great principle enunciated by Pope Leo, namely, the recognition of the moral element in economic matters. It is to be hoped that we shall profit by all this and have a saner outlook on labour problems, under the guidance of the Church's tradition and doctrine. The serpent in socialization on purely secular lines is one that should find no ground for its slimy movements in this country. If we are to believe, as we should believe, the words of the German Bishops, we must regard Socialism, as enunciated at its fountain-head, Germany, as distinctly anti-Catholic. It fears and is antagonistic to the one and only authority that can keep it within bounds.

The variety of opinions from authoritative sources, the immense field of social activities, the detailed analysis of complex questions, the many practical proposals for social difficulties—all these, and many others, are to be found between the covers of this unique and important contribution to the literature of social problems. If this be an index to the volumes to follow we can safely say that the National Catholic Welfare Council of America have successfully begun a noble work, have taken the first great step of bringing before intelligent Catholic readers a complete review of industrial and political problems and the teachings of the Church's great leaders on the many issues raised. The series will be an exhaustive contribution on these important questions, and needless to say, will not only be useful to all interested in such matters, but indispensable to priests, whose business it should be in these days to be fully conversant with them, since they enter into the domain of right and wrong. We offer our sincere congratulations to the editors on their admirable treatment of an immense subject.

M. R.

CHRIST, THE LIFE OF THE SOUL. Spiritual Conferences by the Right Rev. D. Columba Marmion. London: Sands & Co.

IN the I. E. RECORD of January, 1920, appeared a detailed criticism of the French edition of Abbot Marmion's work. This translation—strange to see a translation of a book written by a former Clonliffe professor!—has been made by a Nun of Tyburn Convent, and has received the approval of the author. How valuable is *Christ, the Life of the Soul*, may be judged by the fact that already it has been translated into Dutch, Italian, and Polish, and translations are being made into German, Spanish, and Portuguese, while the French original has passed through many editions. We trust that this English translation will be received with a favour worthy of the truly solid character of the work.

D.

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Theory of Advanced Greek Prose Composition. Vol. II. By Rev. John Donovan, S.J., M.A. Oxford: Basil Blackwell.

THE PROBLEM OF EVIL: A SUGGESTION

BY REV. B. V. MILLER

THE problem of evil has always been a formidable problem and a prominent one. Never left for long in the background, it has of quite recent years come well to the front and become the subject of renewed interest. The enemies of the Christian religion, wise in their generation, see clearly that if it be chosen as the point of attack, nearly all the advantages are on the side of the assaulting party; the Christian apologist can do no more than point out from afar the way wherein a solution seems to lie. In the last resort he must always fall back upon a confession of ignorance, and an act of faith in face of what must ever remain an unscrutable mystery; until at least that day comes when we shall look upon God face to face. Although, however, this problem must continue to be insoluble, a conviction has, for many years, been forcing itself upon my mind that the Catholic apologist unnecessarily weakens his case by the position he takes up with regard to one of the essential factors in the question, the matter of God's foreknowledge. This position has been traditional in Catholic Schools, and even outside them for at least three hundred years; it is, therefore, with a full consciousness of my presumption and temerity that I venture to impugn its soundness. Still I feel that it will be useful, at least to myself, and possibly of some interest to others, to set out the thoughts that have come to me, and to invite the criticism thereon of others more competent to speak on matters so weighty.

There is no need now to enter into a discussion of the various kinds of evil, nor to attempt to prove their necessary possibility in any scheme of creation whatever. The mere possibility of evil is not a matter that gives rise to

any special difficulty. We can limit ourselves to the consideration of moral evil; then, granted the existence of human free-will, the problem that faces us may be thus formulated: If God is omnipotent He can do all things that are not intrinsically impossible, that is, self-contradictory; if He is infinite goodness and wisdom He surely cannot permit the existence of preventible evil. But all evil is preventible, even without any interference with free-will. Therefore, since He has not prevented it, since there is an immeasurable amount of it in the world, we must deny either God's omnipotence or His goodness. There is no disguising the seriousness of the difficulty. Nor does it seem to be of any use to pretend to be satisfied with the answer that St. Thomas takes over from St. Augustine. This is to the effect that God proves Himself good by drawing good out of evil; to which the obvious retort is that surely it would have been much better to have procured the same or an even greater amount of good without any of the evil.

If we attempt to deny the minor premise in the above syllogism, we are soon hauled up. It is pointed out to us that, on our own principles, God, by His guiding Providence, and still more by His grace, does actually prevent the occurrence of much evil, which would otherwise be inevitable, and that He does this without placing any obstacle in the way of man's freedom. Why cannot He do the same universally? The prevention of all evil involves no interference with the exercise of free-will. What, then, in face of this difficulty, is the position ordinarily and traditionally taken by the Catholic apologist?

He begins by presupposing God's knowledge, or foreknowledge, of all those hypothetical events known in our Catholic theological schools as *futuribles*. This presupposition is, I think I am right in saying, common ground to the Thomist as much as to the Molinist, the only or the principal difference between them lying in the medium in which God is supposed to see this class of objects. And if any Catholic apologists proceed upon any other pre-

supposition, I think they must be so few as to be practically negligible. And it is precisely with this presupposition that the trouble begins, and that the inherent weakness of the position makes itself felt. For once it is allowed, the apologist is brought back to the concession that, though God saw all possible orders, dispositions, or arrangements of the created or creatable universe, and therefore saw that possible arrangement in which all evil would have been prevented without interference with human free-will, He yet chose the present order, shot through and through with immeasurable evil, for some reason which must be good, but which we have no means of knowing or discovering. And it seems to me that we are in then no better case as regards the rationalists' attack than we were before the argument began; our position is as weak as ever. It is not necessary to name any names; the position here outlined will be familiar to all my readers. Should it not be, let them consult their theological text-books, read any of the standard classical theologians from whom the compiler of text-books borrows so much, sometimes without acknowledgment, or see what has been written in recent years by many able and learned defenders of the faith. Now, while I have the greatest reverence for the age-long tradition which these writers represent, and while I feel that it can appear as nothing less than presumption to dissent from so strong a body of the best theological thought as that which they represent, yet I cannot help feeling that something must be wrong with their premises, if they can lead only to such an unsatisfactory conclusion. Cannot we find a better line of defence? The question thrusts itself forward. No one likes to entrench himself behind the *Deo omnia possibilia*, or to dig himself in to the *hoc est mysterium*, if there be the slightest chance of coming out into the open ground of sound and reasonable argument.

To this entrenchment we may be driven back, indeed sooner or later we are bound to be, since we are dealing with God and His designs, but, meanwhile, is it not possible to have made some stouter defence, even perhaps to have

delivered some counter-attack, enough, at least, to show that our position had unsuspected strength and that all the powers of the offensive do not lie with one side ?

It seems to me that the essential weakness of the position that I am temerarious enough to criticize lies in allowing that God has a sure knowledge of all those hypothetical events that are technically known as *futuribles*, and that if we can refuse to allow this, we shall both simplify and strengthen our position in regard to the problem of evil.

Let us be quite clear as to our terms. Just as there are necessary 'futures' (e.g., that the sun will rise to-morrow) and contingent 'futures' (e.g., what John Smith a free agent, will actually do to-morrow in the actual circumstances that will in fact arise) so we must distinguish between necessary and contingent '*futuribles*.' As an example of the former, I may say that, if the egg which I had for breakfast this morning had been dropped by the cook on to the kitchen floor as she was about to put it into the saucepan, it would necessarily have been broken. The breaking of that egg is a *futurible*, it did not happen, and since I have now eaten it, it never can happen, but in certain circumstances, which might easily have arisen, it would have happened, necessarily and inevitably. It is, therefore, a necessary *futurible*.

By a contingent *futurible*, we understand what a free agent would have done or would do in certain hypothetical conditions which, in fact, have not been, or are not going to be, realized. Examples : if Nelson had been in command at the Battle of Jutland he would have destroyed the whole German fleet ; if I were to be made Prime Minister to-morrow I should pass such and such measures. In the former case we have a *futurible* expressed as in the past, in the latter as in the future. Both are *futuribles*, dependent upon hypothetical circumstances, in the former case never realized, in the latter never to be realized, since it is quite certain that I shall not take Mr. Lloyd George's place to-morrow. And both, moreover, are contingent

futuribles, since Nelson's destructive action in the North Sea would have been, and my political action at Downing Street would be, the outcome of the free determination of human wills. It is with these contingent futuribles only that this paper is concerned.

With regard to them, as we have already said, the ordinary theory, held in Catholic Schools and adopted by Catholic apologists, is that from all eternity God knows, with sure and infallible knowledge, all possible futuribles. According to this theory, He knows, for example, that, in certain conditions, which were quite possible, though never realized, St. Paul would have lived and died a persecutor of Christ, and that Luther, had God distributed His graces differently and brought about a different arrangement of conditions, would have been as great a champion of the faith as St. Ignatius was in actual fact. In this theory, God, from eternity, contemplated all the possible combinations of His own creative power, dispensing and directing Providence, and human response, and out of all these possible arrangements and combinations of divine and created activities, chose freely this actual order of things which is now being worked out to its appointed end. Why did He choose thus ? For His own good reasons, that we cannot hope to understand.

My object now is to put the suggestion that God has not nor can have sure knowledge of all these futuribles. If the suggestion can be accepted and successfully defended, I believe it will go some way towards simplifying the problem of evil, by removing at least one of the great difficulties which at present encumber it.

The first thing to do is to examine the validity of the arguments advanced by theologians to prove that God knows with certainty all futuribles. I speak of theologians rather than of philosophers, because this is treated as a theological question in Catholic schools, and because the principal argument, upon which most reliance is placed, is of a theological character, the direct appeal to the plain and unmistakable meaning of the words of Sacred Scripture.

And whatever modern text-book the student may consult he will be almost sure to find the same conclusion, drawn with the same unhesitating confidence, from the same standard texts. For example, Pohle-Preuss writes¹:—

A thoroughly conclusive passage from Holy Writ seems to be 1 Kings xxiii. 1-13. In escaping from Saul, David had fled to Ceila, whither his royal persecutor followed him, seeking his life. Thereupon David got Abiathar, the priest, to bring him the ephod; and he interrogated Jehovah: 'Will the men of Ceila deliver me into his hands? And will Saul come down, as thy servant hath heard?' And the Lord answered: 'He will come down' (*descendet*) and, 'They will deliver thee up' (*tradent*). Then David arose and departed from Ceila with his six hundred men. In consequence, of course, Saul did not come down to Ceila, nor did the Ceilaites deliver up David. The Lord's reply referred to a *conditionate futurum*, something which would have happened had David tarried in Ceila, instead of leaving that city. God must have had infallible knowledge of what the men of Ceila would have done had Saul (*sic* David?) remained; else He could not have declared so positively, '*descendet, tradent.*'

But, apart from certain difficulties in the translation, to which allusion is made in a footnote, and taking the Vulgate text just as it stands, is the conclusion here drawn so sure as it is made to appear? Is there no alternative, possible or even probable, explanation? It seems to me to satisfy all the rules of Scriptural interpretation if we see here but another example of familiar Old Testament anthropomorphism. Men have an inveterate habit of speculating and worrying about futuribles; it is a universal weakness. David, troubled by Saul's pursuit and anxious about the doubtfully friendly disposition and intentions of his hosts at Ceila, applies in his distress to the Lord. And God, who knows men's hearts, answers simply *more humano*, accommodating Himself to the spirit of David's inquiry, 'He will come down; they will deliver thee up,' signifying no more than, 'Saul intends to pursue thee even to Ceila, and it is the intention of the men of Ceila to give thee into his hands.' If such an explanation of this passage be tenable, and I see nothing against it, its value as an argument in proof of the thesis now under consideration disappears.

¹ God, *His Knowability, Essence and Attributes*, p. 376.

Pohle-Preuss proceeds to the next familiar argument:—

Another Scriptural proof for our thesis may be drawn from Matthew xi. 21: 'Woe to thee, Corozain, woe to thee, Bethsaida: for if in Tyre and Sidon had been wrought the miracles that have been wrought in you, they had long ago done penance in sackcloth and ashes.' As a matter of fact, no such miracles were wrought in Tyre and Sidon, nor did these cities do penance in sackcloth and ashes. Hence we have here again a mere *futuribile*—a contingent future event, which Jesus foresaw as clearly and definitely as if it had really come to pass.

But here it is to be remarked that a necessary postulate of this interpretation is that Jesus is speaking as God, out of the infinite treasures of His divine omniscience. That, however, is a *petitio principii* which cannot be accepted without proof. On the other hand, it seems quite natural and fully satisfactory, if we take Christ's words as simply a forcible, concrete, and very human way of expressing the enormity of the crime of the two cities in not accepting the evidence of His divine mission. Such wonders as He had worked left them no excuse. The miracles they had witnessed were sufficient to convince anyone, unless he were self-blinded by wilful obstinacy. That surely is the burden of His indignant words, and to enforce them He adds that even the pagans of Tyre and Sidon would have accepted the evidence rejected by the Jews; a very natural human way of stressing their guilt, the sort of appeal to what others would do made spontaneously by any man when denouncing the indifference, hardness, irresponsiveness of his audience, and in no way implying any certain knowledge of the hypothetical term of comparison.

These are the two passages upon which the greatest reliance is placed, indeed the only two to which appeal is made with any show of confidence. Others are referred to as confirmatory texts, but only in a perfunctory sort of way. By applying the principles used in the interpretation of these two, whatever force the others may seem to have is easily dissipated, and therefore unless and until it can be shown that the interpretation here proposed offends against exegetical principles that Catholics must respect, the conclusion holds that there is no Scriptural demonstration

of the attribution to God of a certain and infallible knowledge of all futuribles. Let us turn to another set of considerations. I quote again, for the sake of convenience, from Pohle-Preuss,¹ who gives a good summary of what is put forward at length in the larger Latin writers :—

The theological argument is based partly on the intrinsic perfection of the Divine knowledge, partly on the indispensableness of the *scientia futuribilium* for the purposes of providence. To know precisely what circumstances, conditions, and situations the created will can encounter, and how it would conduct itself in each and every possible juncture, is doubtless a wonderful prerogative of the Divine Intellect, which it could not relinquish without ceasing to be divine. . . . Nescience of conditionally future acts would entail a woeful ignorance of many important truths that are essential to that infinite knowledge which evolves harmony out of confusion. Even a mere doubt as to how free creatures, as yet uncreated, would deport themselves under all possible combinations of circumstances, would be utterly incompatible with God's knowledge and destructive of His Providence. If such a doubt were possible, the Creator could not consistently carry out any fixed plan of governing the universe. He would simply have to trust to 'good luck,' because His creatures, by reason of their free-will, would be in a position to disturb all His calculations. Like 'the best laid plans of mice and men,' His most wise counsels would 'gang aft aglee.' Unable to provide against unforeseen surprises, Divine Providence would be fated to grope in the dark and to steer an ever-changing zigzag course. The Lord of the universe would be dependent on the moods of mortal men, and oftentimes could not set the machinery of His omnipotence in motion until it was too late to accomplish His designs. What an utterly unworthy conception of God all this implies! . . . The Christian Church has always clung to the conviction, so beautifully voiced in her liturgical prayers, that Divine Providence not only knows what will happen in the future, but also what would happen if individuals were placed in different circumstances. Imbued with this persuasion we pray God to ward off injury from our souls and to afford us opportunities for doing good. We console the Christian mother, who has buried a beloved child, by telling her that Providence disposes all things wisely, that her child is spared much suffering and would, perhaps, had God permitted him to live, have wrought his own destruction and broken the hearts of his parents. The Jesuit theologian, Ferdinand Bastida, very eloquently set forth these and similar considerations in the presence of Pope Clement VIII, at one of the meetings of the famous 'Congregatio de Auxiliis.'

But I doubt whether His Holiness was very much impressed, for surely a great deal of the argument is simply word jugglery and anthropomorphism to an exaggerated

² Ibid. p. 381.

and extreme degree. True, it is sometimes necessary, for the sake of scientific analysis and clearness of thought and exposition, to distinguish moments in God's life or to assign priority and sequence to His actions, but in doing so, it is equally necessary to beware of giving to these, our mental abstractions, any real distinction and existence in the divine nature. In the present instance, the writer, far from avoiding the danger, has rushed to meet it, has pitched headlong into it, and it has swallowed him up. Man's way of speech, action, prudent foresight and counsel is applied to God, and then, without any thoughts of the requirements of analogy, real consequences are drawn which are wholly incompatible with God's simplicity and eternity as *actus purus*. We are presented with a grotesque and deplorable caricature of God, unable to make up His mind as to His future course until He sees how man is going to act, hesitating to put His omnipotence into action until it is too late, forced to 'trust to luck,' and steer a 'zigzag course,' because of the unexpected squalls and shifting breezes by which puny man interferes with His calm control of the helm and we are told that this is the inevitable result of denying to Him an infallible foreknowledge of all possible futuribles. Of course it is nothing of the kind. It is rather the result of arguing from man's necessary imperfections to God without sufficient care as to the conditions required to make the argument valid. The anti-futuribilist—if I may coin a word—is as much devoted to the maintenance of divine omniscience and Providence as his adversary. With St. Thomas, he holds that God's Providence is concerned with the ordering of means to the end willed and ordained by Him, in other words, that it is concerned with realities and with them alone. And the reason why he excludes futuribles from the scope of divine omniscience is because he holds that they have no reality and therefore no knowability. But of this something more must be said later on.

For the moment I wish to deal with what seems to be the fundamental defect of the opposite view. This reposes

entirely on the supposition that there is somewhere and somehow in God a real distinction between the moment before He has issued His decree of creation and the moment after. For, unless there be such a distinction, unless there be in God some reality of difference between, on the one hand, not having yet determined to create this present order of things, these actual free creatures who now exist or will exist, and the actual conditions of their existence, and, on the other, having decreed to create them, there is, from God's point of view, no such thing as a *futurible*. There are only metaphysical and logical possibles, and real actual things. This is so clear as to be axiomatic. But if there be such a real distinction, such a reality of difference, it is impossible to see how His eternity, His simplicity, as *actus purus*, can be really, and not merely verbally, safeguarded.

And it is here, as it appears, that the accepted theory fails, precisely because it inevitably lands us into unrealities. It uses language, and unavoidably does so, to which no reality in God can correspond; language, therefore, which, in the last resort, is unreal and meaningless; and it cannot invest this language with any real meaning, it cannot assign to these verbal distinctions, which it must use, any corresponding divine reality without denying the fundamental divine attributes, which are imperatively and equally demanded by both philosophy and theology. I think this comes out clearly in an examination of the purely rational arguments by which God's knowledge of *futuribles* is defended.

Perhaps the simplest statement of the principal argument is that which puts it in concrete form after this fashion: If John were to be subjected to such and such a temptation, either he would sin, or he would not sin. These are the only two conclusions possible. They are contraries. Therefore one must be true and the other false, and, consequently, God, who knows all truth, must know infallibly which is true and which false.

On the surface, the argument looks sound, even un-

answerable. Many theological manuals set it out unadorned with commentary or enforcement ; they leave it in all its apparently sturdy simplicity, as if able to stand and force its way by its own inherent strength, as though absolutely unassailable. The text-book compiler seems to imagine that all that is left to the poor student is piously to ejaculate, '*Roma locuta est.*' But, as soon as we look below the surface we find that here again appearances are deceptive ; that a great deal can be said about the argument ; that it is not such a sturdy, self-evident proposition as it seems, that its superficial robustness covers many weaknesses. The temptation to which John would submit, or which he would resist, is purely hypothetical. It would not actually materialize. It is possible, logically. To us it seems really possible also, but that is because of our limitations. In itself it is not a real possible, or a possible reality, since from all eternity, and in the infinite simplicity of His really indivisible actuality, God has irrevocably decreed that it shall not, and therefore that it cannot really, come to pass ; and against this decree, however loudly man's logic may protest, there is no appeal. This hypothetical temptation, looked at from God's point of view, that is from the side of reality, is and from eternity has been a real impossible, and from a real impossible it is impossible to draw a real truth, or a real untruth. In other words, both conclusions, John's resistance and his submission, are in reality equally true and equally untrue ; they are both equally the unsolid fruits of human imagination.

But, we are told, and again as if there were no possibility of reply, if God has no knowledge of futuribles, but has to wait until they become futures before He can know them, He would be dependent for His knowledge upon the free determination of His creatures, an unthinkable proposition. It may be a sad reflection upon my own slowness of understanding, but even in the far-off days of youthful studentship this argument always seemed singularly unimpressive, and now it only tends to excite wonder that serious men should propose it as valid. Yet to put into

exact words a refutation of it is, confessedly, not easy. At anyrate the anthropomorphism of it is clear. Perhaps it will be objected that I have made it not simply clear, but crude; to this I plead guilty, but the offence is a minor one, without substantial effect, for, however the argument be stated, its anthropomorphic character, though it may be disguised, cannot be escaped. Yet, unless it can be escaped, unless, that is, it can be shown that this idea of waiting upon man's free determination really corresponds to an actual reality in God, the bottom of the argument falls out. And who is going to show this and still confess to a God who is *actus purus*?

There can, of course, be no question of God's depending for His knowledge upon His creatures' free determination. The whole reality of all things comes from Him. It is He who from eternity has freely, and yet without transition from potentiality to fulfilment, without change from non-determination to determination, decreed to create these creatures and no others, who has arranged for their environment and conditioning these circumstances and no others, and to whom, therefore, from an equal span of unbeginning and all-circumscribing eternity, these actions and all determinations of every free creature are actual and present. However we may attempt to explain God's knowledge of men's future free acts, whether Thomistically or Molinistically, or in any other imaginable way, it must be and is admitted by all Catholics that He knows them from all eternity, that in His eternal and immutable and all-embracing 'now,' they are real and actual. Nor can it be allowed by any that in this eternity, which, after all, is only Divinity under another name, there is any priority, any before and after, and therefore any real difference between God not seeing man's free determinations and God seeing them. Or rather, in any admissible theory, the idea of His not seeing them is unthinkable, and consequently the objection we are discussing goes overboard.

Naturally anything like a full discussion of this problem is here altogether impossible. The object of this paper is

to suggest and to propose rather than to attempt to settle anything. I have already confessed to my sense of temerity in putting forward this criticism of a position that has become traditional. In the face of this tradition it may seem equally rash to appeal to the authority of St. Thomas, and yet I cannot help feeling that such appeal may be made, and made confidently. Without claiming an exhaustive knowledge of his writings, I think there is not much risk in saying that *futuribilia*, in the sense here understood, do not come within the range of his vision. On general grounds the argument from silence is the weakest of all, but in this present matter it must be allowed to have validity. Not only has he written a commentary on the Gospel containing Our Lord's denunciation of Capharnaum and Bethsaida, but in the *Summa* (Pars. 1a, question 14), and elsewhere, he treats professedly and at length of all the objects of God's knowledge. But of futuribles there is not a word. And yet St. Thomas must often, like all of us, have cast his judgments and his intentions in the mould of futuribility, must often have said that, if such or such a thing had happened, he would have done so and so. His silence, therefore, is significant. But we have more than silence to guide us to his mind. In the 13th article of this question, the subject is God's knowledge of contingent futures, and here his teaching is very instructive. I quote from the '*Summa Theologica*, literally translated by the Fathers of the English Dominican Province':—

A contingent thing can be considered in two ways: first, in itself, as actual, in which sense it is not considered as a future thing, but as a present thing; not as contingent, but as determined to one; and in that way it can be infallibly the object of certain knowledge as, for instance, to the sense of sight; as when I see that Socrates is sitting down. In another way a contingent thing can be considered as it is in its cause; and in that sense it is considered as a future thing, and as a contingent thing not yet determined to one; forasmuch as a contingent cause has relation to opposite things, and in that sense a contingent thing is not subject to any certain knowledge (*non subditur per certitudinem alicui cognitioni*). Hence, whoever knows a contingent effect in its cause only, has merely a conjectural knowledge of it. God knows all contingent things, not only as they are in their causes, but also as each one of them

is actually (*actu*) in itself. Although contingent things become actual successively, nevertheless God knows contingent things, not successively, as they are in themselves, as we do; but He knows them all at once; because His knowledge is measured by eternity, as is also His existence; for eternity existing all at once comprises all time. Hence, all temporal things are present to God from eternity, not only in the manner that He has the ideas of all things before Him, as some say; but because His glance is carried from eternity over all things, as they are in their presentiality. Hence it is manifest that contingent things are infallibly known by God, inasmuch as they are subject to the Divine sight in their presentiality.

And to the same effect he writes in many other places, e.g., 1, 86, 4. Whence, while God, according to St. Thomas, knows all that a free agent *could* do in all possible circumstances, since He necessarily knows his potentiality to the full, He does not know all that he *would* do in any definite hypothetical circumstances that are never to be realized; and the fundamental reason is that this supposed object of knowledge has no reality; there is nothing to know, and therefore even God cannot know it. St. Thomas, with his keen and all-embracing vision, does not envisage futuribles, simply because there are no such things. They are the 'Mrs. Harris' of Scholastic Philosophy.

How does this conclusion help us in our attitude towards the problem of evil, as stated above? Only negatively, in so far as it removes the unnecessary complication already described. We are relieved from the necessity of supposing that God, having, as it were, set out before Himself all possible worlds, and having clearly before His mind the exact amount of evil that would actually happen in each one, deliberately chose, for some reason that must have been good, but which altogether escapes us, to create this actual world-order, when He could, quite as easily, have called another into being, in which evil would have had a much smaller part, or even no part at all. This supposition, with all its implications and consequences, is hard to bear. Of all the elements in this thorny question it is the most difficult. The relief of being rid of it is great. We are indeed left still immersed in mysteries. We are no nearer to the solution of the problems of evil, of predestination,

of reprobation. But these are divine mysteries, which we can accept without hope of fathoming them. There is no need to add to them a man-made mystery, which serves no good purpose, but only increases the intellectual burden. And if, as seems probable, it is impossible even to state any kind of theory of explanation, without falling into the most extreme anthropomorphisms, and without increasing the obscurity of an already impenetrable darkness, then, after all, we can find no more satisfactory answer than that given by St. Thomas (*Summa*, 1, 2, 3, ad 1) : ‘As St. Augustine says : “Since God is wholly good, He would not allow any evil to exist in His works, unless His omnipotence and goodness were such as to bring good even out of evil.” This is part of the infinite goodness of God, that He should allow evil to exist, and out of it produce good.’ Unsatisfactory as this is, can we reasonably expect to find anything better? Here, perhaps, more than anywhere else, is the supreme test of humble faith. In face of this enigma the most acute of human intellects can only believe, trust, and adore.

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THE MESSIANIC PROPHECY OF JACOB

(GENESIS XLIX. 8-12)

BY REV. E. YURITCH, S.J.

THE Patriarch Jacob was a hundred and forty-seven years of age, seventeen years of which he had spent in Egypt, when he felt the time of his death drawing near. He therefore gathered his sons around him that he might bless them, and 'tell them that which shall befall them in the latter days.'¹ In consequence of this blessing, Reuben forfeits the rights of primogeniture, Joseph receives a double share of inheritance, Simeon and Levi are cursed for their cruelty, while Judah is constituted the bearer of the hopes promised to the seed of Abraham. This prophetic blessing of the venerable Patriarch, recorded in the forty-ninth chapter of Genesis, is an elaborate piece of poetry, and forms one of the most explicit Messianic prophecies of the Old Testament. The main part of the prediction in itself is very manifest, but it is by no means an easy task to clear away the difficulties which obscure the original text.

The present article has for its scope to deal with these textual difficulties as well as to inquire into the prophecy as such. It is verse 10 which presents the chief difficulty. The Vulgate translates the original Hebrew text as follows: 'Non auferetur sceptrum de Juda et dux de femore ejus donec veniat, qui mittendus est; et ipse erit expectatio gentium.' The Revised Version has: 'The sceptre shall not depart from Judah, nor the ruler's staff from between his feet, until Shiloh come; and unto him shall the obedience of the peoples be.' The great discrepancy between the two translations—'donec veniat qui mittendus est' and

¹ Genesis xlix. 1.

'until Shiloh come'—is apparent, and is due to the uncertainty of the Hebrew reading and interpretation, which is now to be investigated. Although the Mosaic authorship of the Pentateuch is here presupposed, it will, nevertheless, be necessary to vindicate the authenticity of verse 10, which has been called in question by some scholars.

Those rationalist critics who do not admit any such thing as a supernatural prophecy are, of course, bound to account for this verse in a rationalistic manner. For some the easiest solution of the problem is the elimination of verse 10 from the original blessing as being an interpolation, added, for example, in the time of the prophets. This view is held by Dillmann, Holzinger, Wellhausen; and Driver is also of opinion 'that verse 10 might quite possibly be a later addition to the original blessing, added at a time when Messianic hope in Israel had become more distinct.'¹ These authors found their doubts on the following two arguments: first, that verse 10 breaks the connexion between verses 9 and 11; and secondly, that the idea of a personal Messiah is not older than the eighth century B.C.

But Skinner rightly replies² that the connexion between verses 9 and 11 is, in any case, not so obvious as to justify the removal of verse 10, and Father Hetzenauer³ sufficiently indicates the connexion between the two verses. The praise of Judah in verse 8 and in verse 9 would seem rather empty and pointless but for verse 10.

The other alleged reason, that the figure of the Messiah is a creation of the literary prophets, is a gratuitous assumption which contradicts the evidence, and is based only on the false prejudice that prophecies, in the biblical sense, are impossible. Moreover, positive internal evidence can be adduced for the authenticity of verse 10. Thus König, for instance, rejects on rhythmical grounds and on account of the context the view of Cornhill and

¹ *Genesis*, p. 414.

² *Genesis*, p. 523.

³ *Comm. in Lib. Gen.*, p. 662.

Rothstein that verse 10*b* is interpolated.¹ There is, therefore, no reasonable doubt as to the authenticity of verse 10 itself.

But what is the authentic original text of the verse? In pursuing this inquiry it should be borne in mind that in the ancient Hebrew only the consonants of the word were written, and the reader had perforce to guess the vowels. The system of punctuation employed in modern Hebrew Bibles in order to supply the missing vowels dates from about the sixth century A.D. The oldest MSS. of such punctuated Bibles date from the first half of the ninth century. It is therefore evident that this arrangement of the vowels in the Sacred Text cannot be accepted as an absolutely trustworthy reproduction of the Sacred Text issued about two thousand years earlier. Moreover, not only the vowels, but also the consonants of a word, as found in the modern Hebrew Bible, need occasionally to be examined. This is the case with verse 10. The crucial word is that 'Shiloh,' which is reproduced in the Massoretic (or traditional rabbinical) text as SH-Y-L-H, i.e., with four letters, of which the second might of itself be consonant or vowel, but here would certainly be the latter (*y* or *i*). This traditional reading was favoured by many older authors, and especially by Herder. The Revised Version has adopted it, as has also König among modern critics. Yet this reading is not only contrary to the overwhelming mass of textual evidence, as will be shown in the course of the article, but the interpolation of the second letter (*y* or *i*) renders impossible the translation, 'Until there come, whose it is,' which is solidly based upon the textual evidence, and which we adopt in this article. According to our view, the original reading was not the traditional form 'Shiloh' but the form 'Shelloh.'

Some of those who follow the *textus receptus*, the Revised Version, for example, consider the form Shiloh as a *Nomen Proprium*, a name of the Messiah. Yet there are grave

¹ *Genesis*, p. 731.

difficulties in the way of this rendering. For this seemingly most obvious of all interpretations first became current only in the versions and commentaries of the sixteenth century. The earliest trace, and possibly the origin of 'Shiloh' as a personal name of the Messiah, is found in a passage of the Talmud, which runs as follows: 'Rab said, the world was created . . . for the sake of the Messiah. What is his name? Those of the school of R. Shela (a teacher of the third century A.D.) say Shiloh is his name, as it is said: Until *his son* come (Heb. Shiloh). Those of the school of R. Yannai say Yinnon is his name, as it is said (Psalm lxxii. 17): Let his name be for ever, before the sun let his name *be propagated* (Heb. Yinnon). Those of the school of R. Haninah say Haninah is his name, as it is said (Jer. xvi. 13): For I will give you no *favour* (Heb. haninah'¹). This curious passage does not suggest that at that time 'Shiloh' (translated above 'his son,' because that seems to have been the current Jewish rendering at the time, or at least fairly soon afterwards), was a commonly known designation of the Messiah. The context rather suggests a surprising compliment paid to the Rabbi by his pupils, by the linking together of the Messianic title with his name, as in the other examples. Also Driver, referring to this passage, rightly remarks that, 'the value (of such an exegesis) in determining the real meaning of a passage in the Old Testament, is evidently *nil*. The authority of the pupils of R. Shela is of no greater weight in determining the true sense of Genesis xlix. 10, than that of the pupils of R. Yannai in determining the true sense of Psalm lxii. 17. It is, however, in this doubtful company, that Shiloh is first cited as a name of the Messiah.'² This evidence, therefore, can scarcely justify the interpretation of Shiloh as a personal name of the Messiah. It is true that Shiloh is used as a Messianic title in the eleventh century and also by Samuel of Russia in the twelfth. But this is an isolated instance, possibly depending on the above-quoted passage of the Talmud,

¹ Driver, *Genesis*, p. 413.

² *Genesis*, p. 413.

and the interpretation, therefore, lacks sufficient traditional authority. Nor is the etymology more satisfactory; for Shiloh could be derived only from the verb *shalah*, which usually implies the sense 'to be careless'; and this does not suit the context. For these reasons Shiloh, as a personal name of the Messiah, is to-day generally abandoned. Another reading is the following: 'Until (Judah) come to Shiloh,' the well-known centre of the tribe of Ephraim, an interpretation which has the support of many authorities. Herder, in particular, enlarges in a rhetorical manner on an imagined scene enacted by Judah at Shiloh. Ewald and Delitzsch follow him and likewise Dillmann, the last named with hesitation.

But this rendering is not older than the second half of the eighteenth century, and consequently has no support in tradition. History also is against it, since it is more than doubtful whether Judah had any particular connexion with Shiloh, which was in the tribe of Ephraim and not in that of Judah. Thus, in spite of the many names supporting this rendering it is not viewed with favour by recent scholars.

Tuch, with some others, interprets the clause, 'as long as one comes to Shiloh,' i.e., for ever. This also is an arbitrary translation, without traditional or philological support. König, who in general is a warm advocate of the Massoretic text, follows it also here. He derives the word Shiloh from *shalah* as above, and interprets it as 'calming down.' He translates the sentence, 'Bis Beruhigung eintritt' (till peaceful times come). The sense of the prediction would be this: Judah, the holder of sceptre and staff, the victorious leader of the tribes, will not forfeit his dignity as long as the war rages. When peaceful times come, of course, there will be no danger of forfeiting the dignity and power which, according to the subsequent verses 11 and 12, he is going to enjoy.¹

Yet König's argument is not without its weakness. He makes assertions without proving anything. He denies the

¹ *Genesis*, p. 130.

possibility of proving positively that this particular noun Shiloh could not be derived from the verb *shalah*. This might be true, but the question is, is it so? The common Jewish and Christian tradition answers that it is not so; then the undoubted Messianic character of the passage excludes a non-Messianic interpretation. These are the most important renderings given to Shiloh, if read with four letters. Yet such a reading cannot be maintained.

Those who advocate it rely on the authority of the Massoretic text, which, as we have seen, is open to question. König, who is very confident about this reading, produces in a footnote only this one argument for it, that 'Shiloh is the reading of most MSS.'¹ This argument, if balanced with the evidence for the contrary, appears to be very insignificant. First of all, there are about forty MSS. of the Massoretic text itself, which have three and not four letters. The same is the case with the Samaritan Pentateuch, which is not punctuated. The Septuagint shows two alternative translations of the clause, both of which presuppose a reading with three letters in the Hebrew original. The Old Latin corresponds to the inferior rendering of the Septuagint. The Vulgate, owing to an obvious mistake as to the last consonant, occupies an isolated position, which cannot be defended; but it really presupposes the reading with three consonants in the original Hebrew. Moreover, the Targum Onkelos, that earliest of the Aramaic paraphrases (fifth century A.D.?), and the Jerusalem Targum, which is much later, indicate clearly a reading of three and not of four consonants. The Syriac Peshitta and a quotation in Aphraates (about 330-350) confirm this reading. Finally Ezechiel (xxi. 27) has a passage which seems reminiscent of this text; and if it be so, it is a very strong argument, not only for a reading with three consonants, but also for our punctuation and interpretation. This cumulative evidence makes the reading with three consonants a certainty.

¹ *Genesis*, p. 730.

There remains, however, the problem of punctuating the three consonants. Historically two forms of punctuation were adopted, namely, sh-*i*-l-*o*-h and sh-*e*-ll-*o*-h. The doubling of the *l* would not require that it be written twice. The former has received the same interpretation as sh-y-l-*o*-h (or sh-i-l-*o*-h) the four-letter reading, which has already been considered and rejected. Thus, abstracting from a few ingenious changes in the Hebrew text itself, proposed by various scholars, there remains only the reading *shelloh*, which is almost universally accepted to-day by critics and experts, and which may be adopted as a reasonably certain one.

This word *shelloh* is compounded of three elements : the relative sign (*shel*), the preposition (*l*), and a pronominal suffix (*oh*). It can be rendered in the context either 'Until that which is his shall come,' or 'Until there come, whose it is.' The former rendering grammatically presents no difficulty, and very good reasons may be adduced in its support. The better reading of the Septuagint and the corresponding inferior Old Latin reading are specifically in its favour. The sense might be, that Judah shall not lose his high position until his greatest privilege and peculiar possession come, the Messiah and the Messianic kingdom.

The latter rendering has, however, received the most support and also conveys the best sense. Specifically in its favour can be adduced the inferior reading of the Septuagint and the better Old Latin reading, as well as the Targums, the Peshitta, and the passage cited from Ezechiel. The somewhat compressed construction of the sentence may be paralleled from Psalm xvi. 8; it may be added that a form of relative is used which is not common till later times, [but which does occur quite early, for example, in Judges v. 7.

Thus, having disposed of the main critical difficulty, it will now be necessary to add a few linguistic notes for the better understanding of the prophecy. The blessing of Judah in verse 8 begins with a play on words. The Patriarch, addressing Judah, says, 'Thee shall thy brethren

praise.' Here there is a clear allusion to his name, which may be rendered, 'The praised one.'

The Hebrew word for sceptre, 'shebet' (rod, staff, tribe), is used only impersonally as an instrument or emblem. The parallel word 'mehokek' may be used either personally or impersonally. In the former case it means 'prescriber of laws,' in the latter 'staff.' In verse 10 the parallelism demands the impersonal meaning, namely, the 'commander's staff.' The Septuagint, Vulgate, and some recent authors, for instance Hoberg,¹ do not take the parallelism into account, and translate 'leader' personally.

The phrase 'from between his feet' suggests a chieftain or king seated, with his staff of office held upright in front of him. The Bedouin sheiks and headmen of villages are said still to carry such insignia of authority.² Hoberg, however, prefers to think of human generation. The question arises, whether the emblems of sceptre and staff denote kingly authority, military leadership, or merely tribal independence. The expression *shebet*, combined with the picture of a king seated on his throne and receiving kingly homage, as indicated in verse 8, seems to suggest a royal sceptre. But the fact is, that Judah obtained royal dignity only centuries after this prophecy was uttered. Military hegemony is in no way suggested apart from the connexion with verse 8, which does not demand a military leadership for Judah. It must, therefore, mean tribal independence or autonomy, the symbols of which are sceptre and staff. Nevertheless, since the previous verses express some kind of supremacy over other tribes, the emblems of sceptre and staff must not be limited to tribal autonomy. Some doubt exists as to whether verse 10 of the original text contains the word 'expectation' or 'obedience.' Both readings are found in the MSS., but the evidence is much in favour of the reading 'obedience.' The word is found only in this passage and in Proverbs xxx. 17, and consequently the meaning of the word is not quite determined by contexts

¹ *Genesis*, p. 442.

² Skinner, *Genesis*, p. 520.

alone. Nevertheless, the corresponding Arabic root ('wakiha,' *oboedivit*) shows sufficiently the real significance of the verb.

After these preliminary, though necessary, explanations the prophecy itself calls for consideration. For the sake of convenience, the full text, so far as it is relevant, will be reproduced. It runs as follows¹:—

- 8 (a) Judah, thee shall thy brethren praise,
- (b) Thy hand shall be on the neck of thine enemies,
- (c) Thy father's sons shall bow down before thee.
- 9 (a) Judah is a lion's whelp;
- (b) From the prey, my son, thou art gone up;
- (c) He stooped down, he couched as a lion
- (d) And as a lioness: who shall rouse him up?
- 10 (a) The sceptre shall not depart from Judah,
- (b) Nor the ruler's staff from between his feet
- (c) Until there come, whose it is,
- (d) And unto him shall be the obedience of the peoples.

Verses 11 and 12, which have little bearing on the exegesis of the prophecy, need not here be considered.

The structure and logical sequence of the verses are clear. In verses 8 and 9 Judah is the object of praise and 'adoration' on the part of his brethren and an object of dread to his foes. He is a lion's whelp, and a lion so strong and fearful, that none will dare to rouse him up. To this is added in verse 10 the promise of the sceptre and ruler's staff, with assurance that these will not depart from Judah until something happens—until some one comes—in fact, until he comes, whose it is and whom the peoples shall obey. Verses 11 and 12 resume the description of the happiness Judah will enjoy.

Who is that great hero, whose advent is here announced? Is it the Messiah or someone else? During thousands of years uninterrupted tradition, Jewish as well as Christian, has answered that it is the Messiah. Theologians, exegetes, early fathers, and ecclesiastical writers are of one mind on this point.

¹ Genesis xlix.

This unanimous consent is founded in part on the clearness of the context itself, and in part on the consideration of the circumstances under which the prophecy was uttered. God had said of old to Abraham: 'I will make of thee a great nation and will bless thee and make thy name great . . . in thee shall all the nations of the earth be blessed.'¹ And later, the Lord appearing to Isaac said to him: 'I am the god of Abraham thy father, fear not, for I am with thee and I will bless thee and multiply thy seed for my servant Abraham's sake.'² These promised blessings were handed down to Jacob by his father Isaac with the words:

God give thee of the dew of heaven,
And of the fatness of the earth,
And plenty of corn and wine:
Let peoples serve thee,
And nations bow down to thee,
Be lord over thy brethren
And let thy mother's sons bow down to thee.³

Was it, then, intelligible that the great Patriarch, the ancestor of God's chosen people, would allow this solemn occasion of taking final leave of his beloved children to pass without mentioning the greatest privilege promised to his offspring? It was only natural that under divine guidance he should speak about the Messiah before departing, and give further information about this all-important subject to his sons. That is exactly what is found in this blessing of Judah, which cannot be fully understood without reference to the previous promises given to our first parents in the garden of Eden, and further specified to Abraham, Isaac, and Jacob.

Unmistakable allusions in other parts of Holy Writ also warrant the Messianic interpretation of this prophecy. For instance, the lion of the tribe of Judah, the root of David, that prevailed to open the book and to look for seven seals thereof, cannot be disconnected from this prediction, for

¹ Genesis xii. 2, 3.

² Genesis xxvi. 24.

³ Genesis xxvii. 28 ff.

the lion is the lamb of God, the Messiah.¹ The sceptre also and the universal obedience of peoples is a marked feature of the Messiah in the Old and New Testaments.

Besides, there is the entire Jewish tradition, as expressed in Targumim and the Talmud, in which there is not the remotest suggestion of any other than a Messianic interpretation of the prophecy. The passage of the Talmud, quoted above, may suffice as an illustration of this. Even the Samaritans, so far as they have a tradition of their own, emphasize the Messianic character of this prophecy. This view is indicated in the letter sent to England by their chieftain, Moffaridj, quoted by Corluy.²

Under the stress of such weighty arguments many even of the modern critics admit the Messianic character of the prophecy, or at least concede that it could be taken in this way. Thus, for example, Driver writes: 'The verse is undoubtedly "Messianic" in the broader sense of the word, . . . whether it is "Messianic" in the narrower sense of the word depends upon the question whether or not a personal ruler is referred to in the clause (c), i.e., line 10c above.'³ Skinner also acknowledges that 'the tendency of recent scholars has been to regard verse 10 as Messianic.' Among the many scholars named by him are Wellhausen, Dillmann, and Driver. He himself cannot but admit that 'a reference to a Messianic tradition is quite conceivable,'⁴ although he prefers another view in this regard. König stands alone in disregarding the Messianic character of the prophecy. His point of view is determined by the principle, stated on page 126 of his book, that to combine the consideration of the Old and of the New Testament is equivalent to treating Scripture 'unhistorically' and 'unbiblically.' Taking, therefore, into account all this internal and external evidence, the Messianic character of the prophecy is conclusively demonstrated. One might ask, where precisely is the Messiah introduced into the prophetic utterance? Here again the Jewish and Christian

¹ Apoc. v. 5, 6.

² *Spicilegium*, vol. i. p. 470.

³ *Genesis*, p. 414.

⁴ *Genesis*, pp. 523, 524.

tradition is unanimous in referring the decisive word *Shiloh*, or better, *Shelloh*, to the Messiah.

It remains now to interpret the meaning of the Messianic prophecy contained mainly in verses 8-10, for which purpose it will be best to investigate, first, the promise made to Judah under the emblem of sceptre and staff and in the preceding verses, secondly, the relation of Judah to the announced Messiah, and finally, what is made known about the Messiah himself.

The sceptre and the ruler's staff, as already explained in the context, primarily suggests the tribal independence or autonomy of Judah. The natural meaning of this autonomy is a sovereign rule, though a kind of Home Rule may be implied as well. Accordingly verse 10 promises that Judah will be a fully independent, or at least self-governing, tribe, though under foreign domination for a certain period. The previous two verses demand an extension of the sovereignty of Judah's tribe over the tribes of his brethren. The length of time and the manner of bringing about this supremacy are not specified. The context does not necessarily require the subjugation of the other tribes, still less a lasting subjugation. A temporary submission of some of the tribes might easily justify the words 'thee shall thy brethren praise,' and, 'thy father's sons shall bow down before thee.' But it must be observed that the general drift of the prophecy points to Judah as being *the* tribe, the principal tribe and the representative of the nation ; the centre round which other tribes will group themselves, the eldest brother to which the others will look up. The way in which this pre-eminence of Judah had to be realized is not indicated in the text, and it is possible that neither Judah nor his brethren grasped the full significance of the words at the time. Like all other prophecies, this too gives only the main features of the events to be realized, without entering into fuller detail.

The relation of Judah to the Messiah is, likewise, vaguely touched upon in the prophecy. Judah will enjoy his position of supremacy until the Messiah appears. The

corresponding Hebrew word for 'until'—*ad ki*—is somewhat indeterminate, and consequently it is not clear, from the wording of the sentence, whether Judah's supremacy is to be terminated by the advent of the Messiah or not. This point can only be determined by the whole context, or perhaps only from the facts themselves. In verse 10, at any rate, it is clearly expressed that Judah's position will be secure until the Holy One of Israel comes. That the time will be reckoned mathematically is not asserted, and a rough computation is sufficient. No more is it affirmed that Judah will be maintained at the very height of his success and glory until the coming of the Messiah. In any case, the prophecy will then attain its full realization. At first sight, nothing seems to be said as to what will happen to Judah on the appearance of the Saviour, yet the words 'until there come, whose it is,' if carefully studied in the context, suggest an ultimate and definite limitation of Judah's pre-eminence. For these words naturally mean that the sceptre, etc., belong of right to the Messiah, and that when he appears he will come into his own natural possession. It is therefore probable that he will use his right, and take the privileges of Judah to himself. This meaning may be legitimately inferred from the words 'and unto him shall the peoples obey.' For although the Hebrew conjunction is only co-ordinate, here the context evidently shows a climax, which is introduced with 'and,' connecting the previous statements and bringing them to a culmination, which consists in a universal dominion of the Messiah, not only over the seed of Jacob, but over all peoples. This naturally involves a transition of power from Judah to the expected Messiah, and therefore the termination of Judah's supremacy when the Messiah shall have come. Whether this transition will be effected suddenly or in a gradual manner, remains to be seen; for we can gather nothing from the context on this point. There is even no explicit affirmation that the great Ruler will be an offspring of Judah, though the context leaves no room for doubt on this subject. For it is to be borne in

mind that Abraham, Isaac, and Jacob personally received the promise that in *their* seed all nations will be blessed. The present prophecy is addressed to Judah, and this necessarily implies a special relationship between Judah and the Messiah. He will take over the sceptre and staff from Judah, and become himself *par excellence* to the whole world what Judah was to the tribes of Israel, and this very fact is indicated in the prophecy as the greatest privilege and distinction of Judah. The universal rule of the Messiah is the culmination of the blessings so lavishly bestowed on Judah. All this is intelligible only if Judah can consider the Messiah's greatness as his own, as continuation, perfection, and extension of his privileges. In other words, Judah knows that he, like Abraham, Isaac, and Jacob, is a fortunate ancestor of the glorious Ruler of future ages.

Two characteristic features of the Messiah are expressed in the prophecy as well as a suggestion of the time of his coming. He will come when the tribe of Judah finally loses its historical position. His mission will be to take over the sceptre and staff of Judah and set up, not a national rule, but a universal kingdom wherein all peoples shall obey Him. Although the nature of His universal kingdom is not quite clear, it may be gathered, to some extent, from the context. Judah's actual supremacy was founded on a temporal rather than a spiritual power. His hand is on the neck of his enemies, he is a lion's whelp, a lion gone up from prey, while it is foretold of the Messiah that He shall have only the obedience of the peoples. This obedience of peoples seems to stand in contrast with the material force of Judah, and suggests a kingdom in which the head and the members, the Ruler and subjects, are connected, not by a forced subjection, but by the spiritual bonds of a free and voluntary submission. The Messiah is conceived here as a king of peoples round whom all nations will gather in order to pay Him their homage, to offer Him their service, their hearts, their will, in readiness to obey His word and to carry out His royal and sovereign

will. His rule will be perfect, whereas Judah's rule is but its type, and Judah's supremacy but a foreshadowing of that great spiritual sovereignty which the Redeemer of the world will exercise over mankind.

In short, the prophecy declares that Judah will finally lose his tribal independence, and promises a certain but vague and indetermined kind of supremacy over at least some of the other tribes until the advent of the Messiah. But when the Messiah comes, He will take the sceptre and staff from Judah into His own hand as His own possession, and will continue the pre-eminence of the tribe of Judah, but in a changed as well as in an essentially elevated and spiritualized form, making Himself the great centralizing power to which all nations shall pay homage and obedience.

Catholic exegetes are agreed on the fundamental points of this interpretation, but none of them consider the prophecy in detail. Father Hetzenauer seems to lay undue stress on the *principatus* of Judah expressed in the emblems of sceptre and staff. In consequence, his view of the promised position of Judah and of the fulfilment of the prophecy differs from the exposition given above. Father Murillo has given careful consideration to the problem, but he reads into the text more than the words will bear. Hoberg differs in many details, bearing rather on the conception than on the sense of the prophecy, taken as a whole. Schöpfer appears to follow Hoberg, more or less, while Pelt for the most part reproduces the ideas of Schöpfer. Von Hummelauer does not give a full and detailed exposition of the prophecy itself, but his treatment of the subject, so far as it goes, does not differ to any great extent from our own.

The rationalistic critics take up in this matter their usual attitude, and exclude *a priori* any supernatural prophecy. König, for example, passes over this text as though it had no reference to the Messiah. Others recognize, as we have seen, the Messianic character of the verse, but look on it as a *vaticinium ex eventu*. Skinner is of this class. 'It seems to me,' he writes, 'that justice is done to the terms

and the tenor of the oracle if we regard it as a prophecy of David and his dynasty, a *vaticinium ex eventu*, like all the other oracles in the chapter.’¹ On this supposition, of course, the authenticity of the text or the Mosaic authorship of Genesis would have to be sacrificed. Driver’s view on this subject has already been mentioned. He regards the verse as containing a Messianic thought, promising ‘that the sovereignty will not depart from Judah till it is merged in the higher, more perfect sovereignty to be exercised by its ideal Ruler, the Messiah.’ But he hastens to add that ‘such a reference to the Messiah seems to presuppose the teaching of Isaiah and other prophets.’ For this reason he would consider it an open question, whether this verse was not a later addition to the genuine blessing.²

There is no need to refute such methods and reasons, which, on account of a prejudice, are not based on the critical evidence and the obvious meaning of the text. It is surely strange that such a scholar as Driver would rather incur the risk of contradicting himself, in finding the prophecy at once so vague and so distinct, than shake off the ties of an unwarranted axiom.

Finally, a few words may be added as to the strikingly complete fulfilment of this prophecy. Jacob died in the land of Goshen and was buried in the land of Canaan. His children and grandchildren grew into a nation, left Egypt and settled in Canaan. In due time David was anointed King of Israel, wielded powerfully the sceptre and staff, and from his stronghold at Jerusalem showed himself indeed the conquering lion, whom none dared to rouse. Later, the Temple was built, and Judah became the religious centre of the theocracy. Some of the tribes permanently remained under the sway of Judah. Such was the state of affairs until the Babylonian captivity in 586 B.C. broke for a time the power of Judah. When after the exile, the Machabees came into power, though not of the tribe of Judah, they were the chosen princes and

¹ *Genesis*, p. 524.

² *Genesis*, p. 386.

representatives of the power and autonomy of Judah. In this way Judah had possession of sceptre and staff till Herod obtained kingship over Israel in 38 B.C. With the accession of an Idumean prince and representative of the Roman power, Judah ceased to be an independent tribe but still continued to be a self-governing nation within the Roman Empire, and formed the national and religious centre of the Jewish race. Not until its incorporation into a heathen province, with a heathen procurator at its head, did all vestige of independence finally pass from Judah, and there can be no question that when the chief priests, the natural and official leaders of the people, declared before Pontius Pilate, the representative of Rome, that they had no king but Caesar, the sceptre and staff was already taken from Judah.

From this brief sketch of historical development it becomes strikingly manifest how the decline of Judah coincided with the advent of Our Lord Jesus Christ, the Messiah. Born in the reign of King Herod, He suffered and died under the fifth procurator, Pontius Pilate. Judah had lost political independence. Forty years later the pride and glory of the people, the glorious Temple of Sion, was finally destroyed, and God's chosen people enslaved and scattered over the world.

On the other hand, Palestine and Asia, Greece and Illyricum, Italy and Spain, Gaul and Africa, went down in humble adoration before Jesus Christ, and yielded Him their obedience, even shedding their blood in His cause. Truly Jesus Christ had taken the sceptre from Judah, had changed it, elevated it, spiritualized and extended its sway over the whole world, nor shall the sceptre ever pass from His almighty hand.

ENGELBERT YURITCH.

THE ASSOCIATIONS OF RATHFARNHAM CASTLE, CO. DUBLIN

NOW A JESUIT RESIDENCE

By J. B. CULLEN

THE ancient castles of Ireland are landmarks in the history of the country. They were for the most part erected in the twelfth and thirteenth centuries—like the abbeys and priories of the great religious Orders that came into existence in Ireland about the same period. The grey or ivy-clad remains of both, in their ruin and decay, lend a saddening charm to many of our Irish landscapes. Hence some writer has appropriately said, ‘the history of Ireland is written in its ruins.’ A few of the feudal castles of Norman days have withstood the brunt of time and change, and still retain so much of their original features that it requires little effort of imagination, on the part of the scholar or antiquarian, to fill in a fancy picture of what they were in the days of their prime.

The greater castles were quadrangular in construction, consisting, as Tennyson puts it, of

Four grey walls and four grey towers.

encircled by a water-moat with drawbridge for protective purposes. And, it may be noticed that, when some of these buildings came to be restored or rebuilt in the sixteenth century or later, as modern residences, the same style, in the main outlines, was adhered to. The Castle of Rathfarnham, the subject of our present sketch, supplies a striking illustration of this, for it must look to-day very much as it did when its Norman founder raised its walls and towers over seven hundred years ago. These Normans had taste as well as the primary idea of situation when they

chose sites for their strong castles, since they frequently selected places in which the elements of natural beauty fell in with the advantages of position, from a military point of view.

Rathfarnham lies about four miles south of Dublin, the village and extensive demesne of the Castle occupying a table-land of considerable elevation. It may be remarked that the direct route to the locality from the city is of gradual ascent almost the entire way. It is evident the position of Rathfarnham Castle was selected by its builders as an important point of defence, commanding as it did the extensive range of hills known as the Dublin and Wicklow Mountains, which were inhabited by the warlike clans of native 'Irishry' that continued to harass the borders of the English Pale from the time of the Invasion down almost to the seventeenth century.

As we read in history, when the first contingent of the Anglo-Normans landed on the coast of Wexford in 1169, the leaders of the enterprise were promised by Dermot MacMorrogh grants of certain landed possessions in reward of their military services. Two sea-ward cantreds of territory were allotted, in fulfilment of this agreement, to Robert Fitzstephen and Maurice Fitzgerald, now known as the baronies of Forth and Bargy; a portion of the latter, together with a considerable area of Shelbourne, being awarded to Hervy de Montmarisco (uncle of Strongbow). These military adventurers, when their foothold was secured, conferred small parcels of their holdings on the mail-clad knights who accompanied them to Ireland. These grants, however, were made on condition that fortified towers should be erected and maintained on the lands, while it was made incumbent on the grantees that the military services of themselves and their dependents should be supplied for purposes of security and defence, in accordance with the usages of the feudal system. As the network of the conquest spread, these military turrets were usually erected within sight of one another, so that in the event of surprise by 'the Irish enemy,' the alarm could

be transmitted by means of beacon fires to a great distance in an incredibly short space of time.

But to return to the subject of our essay. The builder of Rathfarnham Castle was Milo le Breton, on whom the manor was conferred in the early part of the reign of King John, about the year 1199. It is apparent that the grant also included a considerable portion of the adjoining lands, since Kimmage and other townlands extending towards the confines of Dublin are mentioned in leases and agreements made from time to time by the owners of the Castle. This Anglo-Norman family enjoyed much favour with the Plantagenet kings, and were the recipients of distinctions and appointments of trust at their hands. The first member of the family who settled in Ireland was a favourite courtier of King John, in whose reign, as we have noted, he was granted his estates in this country. One of his immediate descendants, Geoffrey le Bret, followed the standard of Edward I in the wars of the latter against Philip IV of France, and also took part in the campaigns of that monarch against the King of Scotland.

In 1321, it is recorded, that Sir Philip le Bret, with a large body of his followers from Rathfarnham and a contingent of Dublin forces, was defeated in an engagement at Tallaght with the clansmen of O'Toole, the chieftain of Imail (Wicklow), when the latter raided the palace and demesne of the Archbishop of Dublin. It was a time of great disturbances in this part of Ireland, consequent on the Bruce wars, during the reign of Edward II. During parts of the fourteenth and fifteenth centuries the lands of Rathfarnham were, for a time, leased to the Harolds, a powerful clan of Danish origin, from whom, we may remark, the locality of 'Harold's Cross' takes its name. Later on, the Castle was again occupied by the representatives of its original owners from whom it passed (probably by marriage) to the Eustace family, one of which, Thomas Eustace, Lord Kilcullen, was created Viscount Baltinglass by Henry VIII. In the reign of Elizabeth, James, third Viscount, and his four brothers, having taken part in the Desmond insurrection (1579),

were convicted of high treason, and their Wicklow estates, together with those of Rathfarnham, confiscated in virtue of the Act of attainder.

About the year 1582 we find that Adam Loftus, Protestant Archbishop of Dublin, petitioned the Crown for a lease of some lands in the vicinity of the city, forfeited during the Desmond rebellion. His application, though it met with some opposition at first, was eventually successful, since three years afterwards he became possessor of Rathfarnham Castle and its appurtenances. From that time almost to our own day, the place has been bound up with the fortunes, vicissitudes and memories of the Loftus family.

Adam Loftus, who in his time figured prominently in the affairs of Ireland, was a native of Yorkshire, where he was born in the earlier part of the sixteenth century. Having graduated in Trinity College, Cambridge, with much distinction he entered the ecclesiastical profession. During the reign of Philip and Mary, when the Catholic religion was, for a time, restored, we find he was presented to the vicarage of Gedney, Lincolnshire (1557), by the Crown. After the accession of Elizabeth to the throne he apparently changed his religious convictions, since in some of the chronicles of the time he is referred to as an 'apostate priest.' On the appointment of Sidney, Earl of Sussex, to the office of Lord Deputy (1560) Loftus was commissioned by the Queen to accompany him to Ireland as chaplain. His learning and abilities soon found recognition, and, we may add, his apostacy secured for him its earthly reward. In 1561, on the recommendation of Sussex and Archbishop Parker (one of Elizabeth's prelates), he was promoted to the primatial see of Armagh, and, in addition, granted the deanery of St. Patrick's Cathedral, Dublin. Two years later, the Metropolitan See falling vacant, he was appointed Archbishop of Dublin, and subsequently became first Provost of Trinity College.

Previous to the Protestant Reformation, Tallaght, Co. Dublin, was the suburban residence of the Archbishops of Dublin for a long period. During the thirteenth century

Henry de Londres, second Norman Archbishop of the See (1212-1233), built for himself a fortress-palace there, one of the towers of which may still be seen.¹ The archiepiscopal residence in the city was the palace of St. Sepulchre, in the vicinity of St. Patrick's, which is now used as a police station.

Archbishop Loftus frequently, owing to delicate health, chose to reside for prolonged periods at the palace of Tallaght, although occasionally he must have had by no means a pleasant time of it, on account of the incursions of the Wicklow hillsmen in the neighbourhood. During the disturbances that broke out in 1573, one of his nephews with fourteen of his retainers were slain at the very gates of the palace. It was this event that probably hastened his desire to remove his quarters from Tallaght to some locality nearer the city, where he would enjoy greater security and protection during those uncertain times.

Although some modern writers state that Rathfarnham Castle was built by Adam Loftus—it was not so. The original building, as an important stronghold, must have been occupied down almost to the time Loftus got possession of it. No doubt he restored the fabric and adapted it to the requirements of a family residence, at the same time preserving its military character. In proof of this, some structural alterations carried out a few years ago by its present occupants (the Jesuit Fathers) revealed unmistakable evidences of thirteenth-century masonry, especially in the eastern tower, beneath which the vaulted apartments, in certain architectural details, confirm the date of the whole building. Many years after his time, as we shall see, one of his descendants changed the exterior appearance of the Castle, as we have it to-day, and transformed the whole interior of the building to its present style.

¹ In the earlier part of the last century (1822) the lands and remains of the palace were acquired by the late Sir John Lentaigue, who subsequently transferred his interest to the Dominican Fathers. When the present beautiful Priory was being erected one of the towers of Archbishop de Londres' building was incorporated in the modern structure—a fitting link between the present and the past.

Loftus held the office of Lord Keeper on two occasions, and became Lord Chancellor of Ireland in 1581, when he also attained the chancellorship of St. Patrick's, with the rectory of Finglas annexed. We read of few personages in political history on whom honours and emoluments were so profusely lavished by his patrons. Nevertheless, the means he resorted to for his self-aggrandisement very often incurred the odium and hostility of his contemporaries. Notwithstanding the remarkable rôle Adam Loftus filled, as a churchman and statesman, his career furnishes posterity with few congenial memories. An apostate—a bigot and a time-server were the most impressive traits of his character. Those who regard his career with impartiality cannot fail to perceive that, in two great elements of social virtue—respect for the rights of others, and sympathy for the sufferings of others—he was deficient. With readers or students of Irish history in the days of Catholic persecution, his name is perhaps most lastingly preserved on account of his complicity in the martyrdom of the unfortunate Archbishop of Cashel, Dermot O'Hurley, during the reign of Elizabeth. Most of us can recall the descriptions given by various historians of the revolting and inhuman tortures to which the martyr was subjected during his imprisonment in Dublin Castle, by orders of 'Loftus and Wallop,' the Lords Deputy, and of his execution in St. Stephen's Green, June 30, 1584. Thus: 'The evil that men do lives after them.'

On the accession of James I (1603) Loftus was confirmed in the office of Lord Chancellor of Ireland, which he had held for twenty-two years. He died at St. Sepulchre's, Dublin, April, 1605, and was interred in St. Patrick's Cathedral. His grave was left unlettered, and is now unknown.

Loftus married Jane, eldest daughter of Adam Purdon, of Langan Race, Co. Meath, by whom he had the enormous family of twenty children. Several of his daughters, no doubt owing to his position and political influence, formed alliances with some of the leading families in the country.

Only four of his sons reached man's estate. The eldest succeeded to the possession of Rathfarnham. He was knighted by the Lord Deputy, Earl Fitzwilliam. A similar honour was conferred on his two younger brothers by the unfortunate Earl of Essex, on his departure from Ireland.

Sir Dudley Loftus, who inherited Rathfarnham Castle, spent little time there, and principally resided at Dungulph Castle, near Fethard, Co. Wexford, where the family had acquired some forfeited estates. However, his son, Sir Adam Loftus, to whom the property next descended, took up residence at Rathfarnham, and became prominent in the political movements of the reign of Charles I. On the appointment of Sir Thomas Wentworth as Viceroy, Loftus became his right-hand man, and took a leading part in promoting his despotic government. In 1640 Wentworth was created Earl of Strafford, but in the same year was recalled to England. Soon afterwards he was impeached by the House of Commons, some of the most damaging charges made against him being founded on his rule in Ireland. Being found guilty of high treason the unfortunate favourite of Charles I was condemned to death. After the execution of Strafford, Loftus joined the Parliamentary party. On the outbreak of the revolution of 1641, Rathfarnham Castle was strongly fortified, and every precaution taken to prevent its falling into the hands of the Royalists. For some years afterwards it was kept in a constant state of siege in consequence of the frequent incursions of the Wicklow tribesmen. After this period it would seem the fortunes of the Loftus family declined, and on one occasion, it is said, the representative of the Rathfarnham branch was arrested for debt in London, and subsequently was forced to seek a pension of a few pounds a week from the Government.

After the Restoration, the possession of the Castle with lands of Rathfarnham was resumed by Sir Adam Loftus, who became a strong adherent of the Stuarts, and was raised to the peerage as Baron Loftus of Loftus Hall (Co. Wexford) and Viscount of Ely. His son, after succeeding

to those titles, was promoted to a higher dignity—that of Marquis of Ely.

In the rebellion of 1690, which closed the short reign of James II, Loftus—true to the traditions of his family in worshipping the rising sun—joined King William at Carrickfergus Fort, took part in the battle of Aughrim, and subsequently fought at the siege of Limerick, where he was killed. By the marriage of his daughter and only child to the Marquis of Wharton, his estates passed to the family of the latter. His son, who was created Duke of Wharton, sold the Rathfarnham property for £64,000 to Right Hon. William Connolly, Speaker of the Irish House of Commons, who usually resided at Castletown, Co. Kildare, and seldom visited Rathfarnham. Eventually he disposed of the place, the next purchaser being Dr. John Hoadly, who was successively Archbishop of Dublin and Armagh. He is said to have made considerable alterations in the Castle. At his death (1746) his property devolved on his heiress, the wife of Mr. William Bellingham Boyle.¹ In the year 1767 the Rathfarnham property again changed hands, when it was sold by Mr. Boyle to the representatives of Nicholas Loftus, grandson of the first Earl of Ely. A large sum was at the time raised for the purpose of modernizing the Castle. However, its new occupant did not enjoy the place long, dying at an early age in 1769, when he bequeathed all his possessions to his uncle, Henry Loftus, of Killiney, for whom the earldom was created, for a second time, during the reign of George III (1771).

It was in this Earl's time that the interior decorations, now so much admired in Rathfarnham Castle, were carried out. The apartment at the left end of the great hall was altered in shape, a semi-circular windowed wall being introduced, looking out on the beautiful park. The exquisite and delicate stucco-work on the ceiling was wrought by Venetian craftsman, a colony of whom had just then settled in Dublin. This beautiful apartment, which was formerly

¹ Son of Henry Boyle, Speaker of the House of Commons, afterwards Earl of Shannon.

used as a boudoir, is now the domestic chapel of the Jesuit Fathers. In the long drawing-room on the same floor the scheme of decoration consisted of a series of square panels, placed at intervals round the sides of the ceiling, which were so designed to provide for insets of allegorical pictures. These paintings were all the work of Angelica Kauffmann, a celebrated Swiss artist who had come to reside in Dublin and was for a considerable time the guest of the Earl of Ely. The handsome *Salon* with ante-room extending across the full width of the Castle is one of the most imposing features in the interior of the building.

Previous to the period to which we are referring the original building was castellated, probably having a barbican in the centre placed, as was usual in those fortified castles, over the main entrance below. The windows, which were hitherto narrow lancets in the pointed style of architecture, were now changed to the ordinary square-headed lights we see to-day. It seems to us rather a matter of regret that the battlements which extended around the top of the Castle were removed, to give place to the present heavy stone-capped parapet—this, together with the plain treatment adopted for the windows, from an artistic point of view, spoiled the picturesque effect of the medieval building. From the corner towers in front projecting buildings originally stood at each side of the Castle. These evidently formed a sort of enclosure into which cattle were driven at night. The moat which ran along the front of the Castle further protected this enclosure at the east side.¹ It may be recalled that in the days of its builders the main doorway of the Castle with its portcullis gave access to the lower or ground floor, immediately under the barbican above. This arrangement may be seen (in many cases quite the same) in several of the ruined fortresses of England and Wales. The ground floor at Rathfarnham now constitutes the basement of the Castle, and retains all its thirteenth-century features—the vaulted rooms, kitchen, great fire-place, cellars, etc., all remain

¹ Enclosures of this kind are usually styled the *Bawn* in Gaelic, to-day.

unchanged, and are of much antiquarian interest. Among the many changes that took place from time to time, the moat that, as we have said, ran across the front of the building was covered in and the ground raised to the level of the modern hall-door.

Henry Loftus, leaving no issue, was succeeded by his nephew, Charles Loftus Tottenham, who was subsequently raised to the peerage as Baron Loftus, and soon afterwards created Marquis of Ely. In the beginning of the nineteenth century Rathfarnham Castle was dismantled, when the family removed to Loftus Hall, Co. Wexford, whither the paintings, statuary, tapestry, and costly furniture were transferred.

After the place was vacated, the Castle and demesne fell into the hands of various tenants. At one time, the lands were let as a dairy farm, when, it is said, the beautiful state-rooms of the old Castle were used for storing farming produce, etc. During the troubles of 1798 it was occupied as a military barracks. The property was later put on the market for sale, but the necessary repairs, consequent on the damages the building sustained during the occupation of its transitory tenants and the up-keep of the Castle were, for a long time, unfavourable to its disposal.

When the Jesuit Order was restored in Ireland (1813-14) it is said that the Very Rev. Peter Kenny, who was appointed Superior of the newly-established mission, entered into negotiations for purchasing the Castle of Rathfarnham for the purposes of a residence and college. However, when the rumour got abroad that the place was about to be used as a Roman Catholic institution, and above all, as a Jesuit college, the ascendancy party in Dublin raised such an outcry that Father Kenny was advised to abandon the project. Castle Browne, some eighteen miles from the city, was then purchased, and has since been regarded as the parent house of the Society of Jesus in Ireland.¹

After some years (1852) the Castle was taken as a

¹ It is now known as Clongowes-Wood College, Co. Kildare.

residence by Lord Chancellor Blackburne, whose son vacated it a few years ago. In the strange ways of history, in our more tolerant days, the Jesuit Fathers are now the owners of Rathfarnham Castle, which was acquired in 1910, with a considerable portion of the demesne lands, by Very Rev. T. V. Nolan, S.J., Provincial, where they engage in various works, 'For the greater glory of God.' Their latest undertaking is the building of a Week-end Retreat House for men whose avocations interfere with their attending the spiritual exercises at any other time. The good work has already been blessed with success. Although it is not more than six months since it was opened the Retreat House has been, week-end after week-end, filled with earnest souls, anxious to avail of the great spiritual privilege placed at their disposal. Already upwards of 1,000 names have been registered on the roll of the retreatants.

The new building stands to the right as one approaches the front of the Castle. It is interesting to note that the basement storey contains portion of one of the projecting wings, alluded to earlier in our essay. It makes a fine hall—70 × 30 feet in size—being vaulted to a great pitch. This is now used as the Refectory. In the time of its first builders this was the 'Guard-room,' and commanded the original level of the space in front of the Castle. In the right-hand side-wall (5½ feet thick) the 'shot-holes' for the use of the cross-bow men are as perfect as when Milo le Breton raised his fortress to over-awe 'the Irish enemy' seven centuries ago.

Loftus Hall, Co. Wexford, which became the residence of the Ely family after they left Rathfarnham, was built by Sir Henry Loftus about 1684. Under the Act of Settlement they were granted (1666) the estate of the Redmond family, the first of whom—Raymond le Gros—came to Ireland in the train of Strongbow, whose brother-in-law he was. The last of the line, Sir Alexander Redmond, was attainted, and his property confiscated owing to his having taken part in the rebellion of 1641. The present writer well remembers being

often in Loftus Hall, a fine old mansion in the Jacobean style.¹ The pictures that had formerly adorned Rathfarnham were chiefly portraits of the Stuarts by Vandyke, Sir Godfrey Kneller, Lely, and other celebrated painters. The beautiful gilt Chippendale furniture of the boudoir was transferred to a similar apartment in Loftus Hall, opening on the main walk of the flower garden. The old mansion was taken down by the fourth Marquis of Ely, who erected, in the seventies of the last century, the present palatial residence, on the old foundations, preserving the size and shape of the former rooms. The building cost upwards of £80,000, and was designed by the eminent firm of architects, Carmichael and Jones, who planned the Exhibition Buildings (Earlsfort Terrace), Dublin, now the National University. The situation of Loftus Hall is on a bleak, level peninsula, varying from half a mile to a mile in width, and extending some four miles into the Atlantic, which gives the building the appearance of a 'veritable Palace of Solitude' in the midst of a treeless domain. At the beginning of the late European War it was purchased by a community of French refugee nuns of the Benedictine Order, with sixty acres of land, for £4,000!

It is a remarkable coincidence—as if in the veriest irony of fate—that the Co. Dublin residence of the Loftus family (whose members were noted for their bigotry) and their palatial seaside home in Co. Wexford are both now in the hands of religious Orders. At Rathfarnham Castle the Jesuit Fathers carry on their self-sacrificing work for the salvation of souls. At Loftus Hall the Benedictine Nuns devote their lives to the perpetual adoration of the Most Blessed Sacrament, pleading before the Throne of God on behalf of erring mankind, that all may be gathered into the spiritual Kingdom of His Sacred Heart. Verily *Tempora mutantur*.

J. B. CULLEN.

¹ The house was erected on the site of the Norman castle of the Redmonds, and in the oak-pannelled entrance hall, among other objects of interest, the two-handed sword of Strongbow was for long preserved

RELATION OF SOUL TO BODY

BY REV. J. BRODIE BROSNAN, M.A.

THIS difficult problem is as interesting nowadays as it was in the time of Plato and Aristotle. It occupied the attention of the great scholastics, of Descartes, and indeed of many non-Catholic and rationalistic philosophers. The present enthusiasm about psycho-analysis and psycho-therapy makes it imperative on Catholics to know what authoritative teaching the Church has given on the relation of soul to body. Thus they may be able to reject any system that contravenes her doctrine. To this task is the present paper especially devoted. Its adequate treatment will require more or less discussion of certain scholastic and other theories.

The Council of Vienna (1312) defined that 'The substance of the rational or intellectual soul is truly and *per se* the form of the human body.'¹ It is historically known that this definition was a condemnation of the system of Peter John Olivi, the famous Franciscan of Narbonne, France (1297). To get the exact meaning of the Council's definition, the teaching of Olivi must be clearly understood. This has now become possible owing to the labours of Father P. F. Ehrle, S.J., who, in the Vatican Library, discovered a code (Vat. Lib. 1116) that gives a full account of the teaching of Olivi, and especially of his doctrine concerning 'the informing of the human body by the soul.'

A few words about matter and form may be useful before approaching Olivi's teaching. All created material things are made up of 'materia' and 'form.' Primal matter (the *materia prima* of the Thomists and the *materia*

¹ Denziger, *Euch. Symbol and Def.*, Nos. 480 and 481.

primo-prima of the Scotists) is the indeterminate substratum of all things. It cannot exist of itself. Yet it is not a mere negative, it is potentiality to be determined, and may be the subject of any form. The form determines the matter, and the union of both constitutes the being or substance. The form is the principle of actuality. Peter Lombard,¹ Scotus,² and others, say all created things, spiritual and material, are made up of matter and form. Thus the human soul and angels are composed of matter and form, and angels have some kind of ethereal bodies. According to St. Thomas, angels and human souls are not made up of matter and 'form,' but of potency and act. 'In created intelligent subsistent being there are two elements, the substance itself, and the existence thereof—this is not the same thing as the substance. The existence indeed is the complement of the existing substance, as everything actually exists by possessing existence. Thus all the aforesaid substances are composed of potency and act.'³ St. Thomas taught that the substantial form is essentially one. Scotus and others admitted plurality of forms.

Thus, in man St. Thomas maintains there is only one substantial form, the rational soul. Scotus holds there is a special form that determines the human body into its proper constitution, the *forma corporeitatis*, besides the rational soul. It is important to note that with Scotus, who voices the best teaching of his school, it is the 'form' that disposes the matter, that both *per modum unius* may become, so to speak, the *materia proxima* that may be informed by some ulterior and higher form. Thus the generic form leads to the specific, the specific to the individual. 'Omnis forma . . . est de imperfecto et indeterminato ad perfectum et determinato ad perfectum et determinatum, de uno materiali ad plura formaliter distincta.'⁴ It is clear also that the compositum of the *materia* and *form* does not put

¹ Sent. ii. c. 8 et seq.

² *De Rerum Principiis*, q. 7 a. 123 et seq.

³ *Contra Gent.*, l. ii. q. 53.

⁴ *Ibid.* q. 8, a. 3.

on all the characteristics of the form. Thus man is not wholly a spiritual being like the soul. These things premised, it will be more easy to follow and point out the errors in Olivi.

Olivi maintains, with St. Augustine and the Franciscan school, that *materia* has some kind of true *actus*, though imperfect, which requires completion by a form; that *materia* or *potentialitas substantialis* enters into the essence of all created or finite beings. *Materia* is really distinct from form, and as a really distinct entity, it is found even in pure spirits. *Forma*, he teaches, is the 'principium actuans et determinans.'¹ There is a plurality of forms. In the development of his theory, both of the influences of form upon matter and of plurality of forms, Olivi departs from the common teaching and paves the way for the errors condemned by the Council of Vienna.² In Quest. 51 he denies that 'partem intellectivam et liberam per se et in quantum tale' can be the form of the body. For if the *pars intellectiva* is its form, then, since all *materia* receives its actuality through its form, even as the human body is really *sensitivum* and *vivum* through the sensitive soul—so it will be truly intellectual and free through the *partem intellectivam*, and this indeed, 'for if human *esse* does not mean intellectual and free *esse* it does not mean anything that appertains to the intellectual soul.' Now the form, in so far as it is form, gives up its actual vigour and activity (to the *materia*), and this is especially true of the noblest form, such as the *pars intellectiva*. Then, too, the essence wherein is rooted or arises the *potentia* is not less noble than such *potentia*. If, therefore, the essence of the intellectual form can be communicated to the body, so, too, can the *potentie* which arise and are rooted therein. Hence the body would be free and intellectual. Since it is not, however, the intellectual soul cannot *per se* be the form of the body.' Here one can easily discern Olivi's wrong notion of the influence of form on matter. His

¹ Vide Jansen, S.J., *Definitio C. Vien.*, 'De Anima.'

² Vide *Vat. Code* 1116, by Father Erhle, S.J.

idea of *informatio* is exaggerated. He believes that by formal union one partial substance, the matter, passes into the reality of the other and puts on all its attributes. Thus here, the body is made to endure all the powers, attributes, qualities, and actions of the human soul. This wrong notion led Olivi to deny that the rational soul *per se* is the form of the body.

His doctrine concerning the mode of plurality of forms in the human soul is erroneous. The soul is made up of three parts, the vegetative, the sensitive, the rational, or intellectual. Each part has its own particular 'form'—*forma vegetativa*, *forma sensitiva*, *forma intellectiva*. These three have one and the same *Materia Spiritualis*, which they inform. The substance of the soul consists, therefore, of one spiritual material and three forms. Anything, therefore, united to one of these parts is united to the substance of the soul; in other words, such union is substantial. Thus the union of the three forms effected in the one material is a substantial union. Further, as there is one *materia* for the body and another for the soul (all spirits being composed of matter and form), the union of these *materiae* is effected by the *forma vegetativa* and *forma sensitiva*, since these *formae* inform both *materia*. The union therefore, between the body and the rational soul is substantial. The forms themselves, however, are united, 'tamquam duae naturae (i.e., *forma sensitiva* et *forma intellectiva*) formales in una materia.' Thus there is no *per se* or essential union between them. The action of the higher 'form' is communicated to the lower form through the *materia*, and is just a mechanical action, the action of a ruler, the material being merely the instrumental prop that enables the superior to govern and direct the 'inferior.' All co-exist in one suppositum, 'sicut patet de duabus partibus unius ignis vel lapidis vel consimilium quae sibi non uniuntur tanquam materia et forma' (Quest. 51). Thus the union of soul and body is no better than that declared by Plato in the *Phædrus*. The soul is the charioteer directing two winged horses, one of which is

noble, the other the reverse. This is the error precisely condemned by the Council of Vienna. 'Confitemur unigenitum Dei Filium . . . humanum. . . . Corpus et animam intellectivam seu rationalem ipsum corpus vere et per se et essentialiter informantem assumpsisse.' The expression 'per se et essentialiter' the Council twice repeats, all the more effectively to repudiate the 'substantial union' asserted by Olivi. Thus all Catholics must hold that the rational soul really informs the human body through its essence. Whether or not the body must be prepared and made capable to effect this, by certain inferior forms, such as the *forma Corporeitatis* of Scotus and others, or whether the soul, without any such forms, just by its very self alone, effects everything, as St. Thomas and his followers think, the Council has not defined nor decided: 'Merito quidem supremum et infallibile magisterium ecclesiasticum huic quaestioni mere philosophicae nec ut videtur, ad revelationem ullo modo spectanti se immiscere sapienter noluit, sicut et omnes subsequentes declarationes magisterii ecclesiastici hoc tantopere controversum punctum attingere studiose declinant et plenam libertatem in suo sensu abundanti unicuique relinquunt.'¹ Thus, whether or not the soul can, *essentialiter*, inform 'first matter,' with or without the introduction of *formae inferiores*, is a purely philosophical question. Both Scotists and Thomists hold that the rational soul 'does essentially and *per se*' inform the human body, and that the body does receive from the rational soul 'movement and life and every sense.'

Thus the teaching of each is orthodox, and in no way contravenes the definition of the Council of Vienna. There is a later decree of Pius IX, *Ad Episcopum Wratislaviensem*, April 30, 1860: 'Sententiam quae unum in homine ponit principium, Animam scil. rationalem, a qua corpus quoque et motum et vitam omnem et sensum accipiat, in Dei ecclesia esse communissimam atque doctoribus plerisque et probatissimis quidem maxime cum ecclesiae dogmate ita videri conjunctam ut hujus sit legitima sloaque vera

¹ Jansen, S.J., *Def. Concil. Vien. De Anima*, p. 88 (article 'Gregorianus').

interpretatio nec proinde sine errore in fide possit negari.’¹ Here again the decree merely confirms the teaching of the Council of Vienna. The soul is made the ‘*unum principium*,’ not the *unicum* or ‘the only principle’—thus leaving open the philosophical question already noted. No new decree is made, but merely a ‘true interpretation’ is given of the dogma of Vienna. The soul is the *unum principium*, giving the body motion, life, etc. What is exactly meant by *corpus* is not disclosed, nor is there anything set forth *re* the constitution of the human body. The books of Guenther, who made the sensitive soul the vivifying and animating principle of the body—this soul indeed being ‘*non aliquid sive qualitate sive essentia a corpore distinctum*’—Pius IX condemned, because : ‘*Iisdem liberis laedi catholicam sententiam et doctrinam de homine qui corpore et anima ita absolvatur ut anima aequè rationalis sit vera per se atque immediata corporis forma.*’² *Immediata* rejects the doctrine that makes the rational soul merely act on the body through the sensitive soul which these false teachers made the *per se* form of the human body. Finally, on December 14, 1887, the Cong. S. Officii condemned the propositions of Rosmini. ‘It is not inconceivable that through divine power the intellectual soul may be separated from the animated body, and this body still continue an animal body since there would yet remain therein as the basis of the pure animal the animal principle that was present before.’³ ‘The substantial form of the body is rather the effect of the soul than the interior term of its operation : therefore the substantial form of the body is not the soul itself.’⁴

Taking these decisions, with the decree of Vienna above mentioned, it seems amply clear that the Church has defined ‘that the soul, *per se*, immediately and essentially, is the form of the human body.’ Therefore the body receives its life, vital actions, sensitive operation, immediately

¹ Denziger, *ibid.* note, p. 446.

² *Ibid.* 1655.

³ *Veluti Appendix* (prop. 22).

⁴ *Ibid.* (prop. 24).

from the rational soul ; yet this does not mean, as Zigliara ¹ opined, that the Thomistic theory concerning the manner of union of soul is defined, nor does it condemn, as Palmieri ² seemed to think, 'the *Pluralitatem Animarum*' of the Scotists.

More especially since the publication by William James of *The Varieties of Religious Experience*, a notion that must be rejected by all Catholics has come very much into vogue with non-Catholic writers. It may be thus expressed : '(James) suggested that we may regard all minds as connected in some immediate fashion which permits of their reciprocal influence and of the conjunction of their powers ; or to put the notion another way, that all mind, human and infra-human, as well as superhuman, is one, and that our individual minds are but partial manifestations of the one mind, conditioned by the peculiarities of our bodily organisms.'³ Apart from many other objections to this theory, a moment's reflection will show that such mind could not, *per se* and essentially, inform any human body ; it could never bear the relation that 'form' does to *materia*, besides it makes the rational souls of men mere shadows, mere passing displays of the one rational, intellectual, or spiritual mind. This error is not new. A similar error might be instanced from Averroes (1126-1198) of Cordova, according to whom all men have but one and the same rational soul, whereas each has a distinct sensitive soul. This error of course is of much more ancient date.

Such teaching and all akin errors were condemned by the Fifth Lateran Council (1512-1517).⁴ Every Catholic must, therefore, maintain that each person possesses an individual rational soul and that this soul is *per se*, immediately and essentially, the form of the human body. Psychologies that make the rational soul less than this must be rejected, such as the psychology of Descartes, who

Vide *De Mente Conc. Vien.*, p. 115, et seq.

² Vide *De Deo Creature*, p. 772 et seq.

³ Harris, *Nerves*, p. 227.

⁴ Denziger, *ibid.* 738.

made soul and body two substances: the occasionalism of Malebranche, Berkeley, and others, etc. Indeed, most non-Catholics and non-scholastic psychology is very unsatisfactory, nor can Catholics safely make any of them the fundamental basis of scientific research on matters that spring from the intimate union of soul and body.

Christian Science or Spiritualism often multiplies individual bodies: we are told of etheric, astral, and mental bodies, all some way interpenetrating, though distinct in themselves and different from the physical body. Much confusion exists about these, and at times imagination vies with imagination in far-fetched and ingenious hypothesis. There is even posited an 'akasha' region where dwell the prototypes of all things—whence, doubtless, they percolate to the spiritual mind. These bodies must be adjusted and act harmoniously, so that, in the process of healing, for instance, the curative power of the etheric body may function and transmit the 'life-giving vital pranic currents (whatever they may be) which flow to us from the sun.'¹ It is not difficult to perceive that these bodies bear no parallel to the Scotist *formae*. Such psychology as this is to the scientific investigator nothing more than the baseless fabric of a poetic imagination issuing from a chimera.

By all means, let Catholics be in the vanguard of psychoanalysis, but let the greatest care be taken utterly to reject all unscientific psychology. All investigations must ultimately rest on the solid rock of the Church's teaching that 'the rational soul is *per se*, immediately and essentially, the form of the human body.' The rational soul is, therefore, the ultimate principle of life and all vital motions, of all sensations and thoughts. It is also a fact, not only of science, but of daily experience, that proper bodily nourishment, proper adjustments—where such exceed the unaided power of the soul,—proper environments, and at times proper medicines, are required, that the soul may

¹ Vide article, 'The Occult Side of Healing,' by E. Templeton Cherry, *Bibby's Annual*, 1922.

effectively carry on and perfect its vital functions. Indeed proper mental pabula—not mental poison—in the way of correct teaching and science are demanded, if a *mens sana in corpore sano* is to be secured. Let Catholics rest on these and other facts, and carry on their investigations by every reasonable method. But let false psychology and unfounded imaginary hypotheses and delusions, however poetic, be eschewed. Then the solid teaching, that the rational soul is the *per se* essential and immediate form of the human body, will prove an unassailable and prolific foundation for the proper study, the proper testing, and the proper development of Psycho-analysis and Psycho-therapy.

JOSEPH BRODIE BROSNAN.

SOURCES OF ST. JOHN'S LOGOS DOCTRINE

BY REV. FRANCIS CLARKE

INTRODUCTORY

THE Gospels furnish us with three genealogies of Jesus Christ, differing from each other by reason of the different object each sacred writer had in view. In the Palestinian Evangel of St. Matthew Our Lord is presented to the Jews as Christ, the Messiah. St. Matthew therefore, traces His descent from Abraham, the 'Father of the Faithful,' and thence, using the throne-line, from David to Joseph. On the other hand, the Greek Gospel of St. Luke is addressed to Gentile readers. Accordingly, he mounts upwards from Joseph, the supposed father of Jesus, to Nathan, to David, to Abraham, to Adam, the father of the human race, thus portraying Our Lord as the Saviour of all mankind. St. John, in his singular prologue to the Fourth Gospel, soars beyond human pedigrees, and ascending, with illumined flight, to the very Throne of the Most High, reveals to us the Son of God as there enjoying an eternal existence in the bosom of the Father. For in this Evangelist's day, men had begun to inquire who and what is Jesus Christ, and erroneous answers were being propounded.

The apostolic teaching had reached 'ALL nations.' Asia, Egypt, Greece, Rome had heard of the crucified Christ. Jerusalem and its Temple had been left by the Roman legions a heap of prophetic ruins. The fetters of Judaism had fallen from the infant neck of the Apostolic Church. The disciples of Jesus were no longer a sect in the Synagogue but the liberated followers of a more perfect religion, untrammelled by the ceremonial of the Law. *Not Jerusalem,* but Antioch, Ephesus, Rome, were the

growing centres of Christian enterprise. Salvation was not to be of the Jews, since they had, with deliberation, ruthlessly rejected their high calling. The Divine choice had fallen on the Gentiles. The question of the Messiahship of Jesus was being overshadowed by the newer inquiries as to His divine origin and nature. To meet this increasing demand for enlightenment, as equally to provide an antidote to surrounding errors, St. John is inspired to set down, in writing his prologue, the teaching of Christian Faith. To express the Church's belief as to Christ's true nature, he makes use of the term 'Logos,' and is the only Apostle so to employ it. The Logos is the Son of God, is Jesus Christ, and he unfolds this bold equation. Before time and creation were, the Logos, he declares, already was in the eternal substance of God (ἐν ἀρχῇ) and in the closest personal relationship with Him (πρὸς τὸν Θεόν) and was, in fact, God (ἦν Θεός). And this Logos, which is none other than the Son of God from all eternity, in time added human nature to His divine nature, and thus, as the God-Man, became a historical personality under the name of Jesus Christ, and as such a historic figure, it was St. John's treasured privilege to hear, to see, to look diligently upon, and even to handle Him,¹ and was thus enabled to supply an account of His sayings and doings. 'The Word (λόγος) was made flesh, and tabernacled amongst us.' This pregnant sentence brings heaven on earth, places in sublime union God-Man-Word, and supplies a full answer to Jewish and Gentile gropings after truth.

But this teaching evinces so clearly and uncompromisingly the Divine and Human in Christ, with its attendant consequences, that ceaseless efforts have been made to undermine it. It is queried—why did he avail himself of this unusual terminology, and where did he acquire it? for the answer to these questions will discover the source of the doctrine. Of one thing we may be sure: St. John would clothe his teaching, so profound, and so momentous, in language easiest understood of his readers. Where, then,

¹ John i. 1.

could he find a phraseology more suitable to his lofty purpose than in the modes of speech in current use amongst cultured men? The term 'Logos' was well known to Hellenistic Jews, at least, and Gentiles, and the abrupt way in which he introduces the word, without explanation, is sufficient proof that the expression was familiar. As St. Paul, taking his stand on the Areopagus, addressed his Stoic audience in Stoic poetry, so St. John made use of current intelligible language to impart the 'sacred certainties' of his illumined belief. If we examine Classic Greek we find Logos expresses reason and speech; Latin translates it by *ratio*, *sermo verbum*; in Greek philosophy its meaning is restricted to reason, reason immanent in the universe—Plato uses the word *nous* for his Idealism. The LXX employs Logos as an equivalent to דְּבָרָא (word) and its poetic synonyms; in the New Testament it signifies word, speech, revelation, Scriptures, and kindred meanings. St. John alone uses it 'to denominate the Son of God both before and after the incarnation.'¹ It is the *Memra* and the *Debura* of the Targums.

St. John's immediate readers would accept the term with various interpretations, according to their schools of thought. Stoic Gentiles would connect it with their Logos, as all-pervading reason, and as embodying their fundamental concept of Deity as opposed to mythological Polytheism; the Jews would look upon it as a more or less adequate translation of their Targum equivalents; to Cerinthus and his pre-Gnostic following it would convey some idea of the confused Logos teaching of Philo; but to St. John's own pupils it would be the very Son of God in His light, life, truth, and glory. And this was the real meaning St. John attached to the word Logos. This meaning was garnered, not from pagan philosophy, nor Alexandrian speculations, but from the prophetic lore of the Hebrew Scriptures, illumined and inspired by the personal contact with the 'Word made Flesh.' To all alike, then, it

¹ Purves, *Hast. Dict.*, 'Logos.'

would serve as a most apt vehicle for conveying the faith alive within him concerning Jesus, and thus perhaps induce all to believe that Jesus is verily the Son of God, and, believing, have life in His name.

But it is not a question merely as to the source of St. John's terminology; were it so we might leave the matter to linguists. The insinuation goes deeper. To words are attached ideas, and hence it is asserted, with diminishing force, however,¹ that St. John borrowed, not only his phraseology, but even his Logos doctrine, from Stoic philosophy, even though it may have come to him by way of the modified teachings of Alexandria.

Thus J. Reville²: 'Cet évangile est purement Alexandrin.' E. F. Scott³: 'There can be no doubt that the main source of St. John's Logos doctrine came to him through Philo . . . and Philo appropriates the main Stoic conception.' Schmiedel⁴: 'It should never have been doubted that St. John borrowed the word Logos, and the *ideas* associated with it from Philo.' Moffatt⁵: 'Though the Logos idea was mediated and moulded for the author of the Gospel by the speculations of Alexandrian Judaism, there are elements in the Fourth Gospel which point to a fairly direct contact with Stoic propaganda.' J. W. Bacon⁶: 'In the prologue he employs the categories of Alexandria.' Dr. Rendel Harris looks upon St. John's Logos teaching as pure Stoic teaching, immediately derived from the Wisdom of Solomon, wherein chapter vii. is a Stoic hymn of praise to Sophia, and Sophia, being the soul of the cosmos, is the God of the Stoics.⁷

One is reminded of a saying of Heraclitus, 'Great learning does not teach wisdom.' I need not go beyond these present-day authors, but we may thus sum up the underlying idea of all these assertions. There was a sort of evolution of the Logos doctrine, beginning, in a cosmological

¹ Cf. Moffatt *N. T. Litt.*, 633.

⁵ *Intro. N. T. Litt.*, 525.

² *La quest. evang.*

⁶ *Fourth Gospel*, 289.

³ *Fourth Gospel*, 54. *Hast. Dict.*

⁷ *Ryland's Bull.*, Jan. 1922, p. 439.

⁴ *John. Writ.*, 152.

way, with Heraclitus, who is surnamed the 'Father' of the Logos teaching, as reason immanent in his fiery vapour. His physical theories, accepted by the Stoics, were advanced by them into the realms of Ethics, and thus the Logos of Heraclitus, the fixed laws of the universe, became also the fixed laws of human morality. Philo Judæus, a believing Jew, as well as versed in Greek philosophy, carried these theories into Jewish belief, and by a figurative method of interpretation, pretended to find their foundation in the Jewish Scriptures, and although, at times, he may seem to lead us to believe that his eclectic concept of the Logos has close affinity with the teaching of St. John, we find, in reality, he is only involved in obscure speculative confusion, and degrades even the Sacred Scriptures themselves by his 'fantastic allegory.' St. John is supposed to have been immersed in these motley speculations, and then burst forth into his wonderful majestic prologue: 'In the beginning was the Word and the Word was with God, and the Word was God.' For it is not necessary at this stage to take into account the personal idea of the Mediator, growing gradually from the very first page of Genesis, amongst Palestinian Jews, nor the adumbrations of St. John's teaching in the early Church. We shall first enquire what foundation there is for the foregoing assertions, and then try and search out the real source of St. John's sublime Logos doctrine. It will thus be our task to interrogate Heraclitus, the Stoics, and Philo Judæus, as representative of Alexandrian thought; after which we shall ask of the Jews, and then the earlier teachers of Christianity, notably St. Paul, finally the inspired John himself.

I—GREEK PHILOSOPHERS

(a) HERACLITUS

The first to use the word Logos, in the philosophic sense it attained in Greek thought, was Heraclitus, but the idea was common to ancient Indian, Egyptian, and Persian thought. This philosopher was a native of

Ephesus, a maritime city of Lydia, a highly civilized and wealthy nation in Asia Minor. He was probably born somewhere about the time when Lydia's last and famous King Cræsus was conquered by Cyrus, the Persian monarch, 546 B.C. His family was of high rank, and therefore, like most of the Lydian aristocracy, very wealthy. Riches and honours had no attraction for Heraclitus. He resigned both in favour of his brother, betook himself to the mountains, and there lived the life of a recluse—herbs and wild fruit being his food, his beverage was supplied by the nearest stream. Contracting dropsy, he essayed to cure himself, but died in the attempt, on a dunghill, in his seventieth year. Popular legend described him as the 'weeping philosopher,' from his supposed habit of mourning the follies and ignorance of mankind. He was also known as the 'dark philosopher,' on account of the obscurity of his teaching and the profuseness of his language. Whether he was a misanthrope or not, he certainly shunned the society of men. His letter, in refusing the invitation of Darius I to visit his court in Persia, was a model of rudeness, but this may have arisen from aversion to the Persian oppressors.

It was not a great intellectual reach on the part of Heraclitus, nor was he the first to perceive that the universe was a cosmos, an ordered whole, and therefore to conclude that, behind all this phenomena, there was some principle at work analogous to reason in man. He seems, however, to have been the first to have named it Logos, and deified it. Previous to him Greek philosophers had sought for a principle to account for the origin of the cosmos. Thales placed this principle in 'water'; Anaximander looked for it in a sort of 'indefinite material' (*απειρον*); Anaximenes believed he had discovered it in 'air'; Pythagoras abstracted all qualities from matter, and only looked upon it as quantitative, hence 'number,' to him, 'was the origin of all things'; Xenophanes abstracted still further, and declared 'pure being' is the primeval agent. Heraclitus would have none of these theories. Water, air, number

were too crude. Pure being did not exist. To his way of thinking there was no such thing as stationary existence. It was a deception of the senses which led to the assertion that things did exist in a permanent manner. Nothing really existed permanently, but were always only 'becoming.' To express his idea, he makes use of the well-known simile of a river. A river is constantly flowing, and this continual flux constitutes it a river. We never enter the same water of a river twice. So the whole cosmos was, like a river, in constant flux, never of stationary existence, but always becoming. Hence, 'true being' consisted in 'becoming.' This was his fundamental teaching—the 'eternal flux of things.' In this way he sought to bridge over the gap between being and non-being, and thus find a principle of unity. His universe was in a continual state of becoming, the only apparent rest being the moment of contact between the ascending and descending fire—the opposing forces. Hence in searching for a principle from which the cosmos arose, he hit upon fire as the most likely embodiment of 'becoming.' But though he termed it fire, he did not mean the flame of fire. It was rather a very attenuated ether-like material, which, by a spontaneous force and activity, engenders all things, being at one and the same time the principle of becoming, as well as what we may describe, for want of a clearer term, the passive underlying material. 'The cosmos was made by none of the gods, nor by any man,' but simply self-kindled, and could only be self-extinguished, only to be self-kindled again in recurring cycles.

All had 'become' before; all would similarly 'become' again in periodic conflagrations. This ethereal fire was urged into activity by the dire necessity of its nature (*ἀνάγκη*), its acts determined by a blind fate (*εἰμαρμένη*), and thus forced to extend itself into visible phenomena without any set purpose or conscious aim. This material fire was the creator of the sun and moon and stars; the beasts of the earth, the fowls of the air, the fishes of the sea, the herbs of the field. Man, also, it made of its fiery

breath, body and soul, mind and intellect and will; the thoughts he thinks, the hopes he holds, the ambitions he begets; the joys of his heart, the sorrows of his soul, his beginning, his end, all alike owe their existence to this uncaring, unconscious empyreal fire. As it seemed to act in accordance with fixed laws and in definite order, resulting in a cosmos, he considered it as endowed with a rational principle, which he termed Logos.

This Logos, as we may gather from the few fragments of his theory that have come down to us, was in no way separable from the ethereal fire. It was neither before nor after it in time, nor beyond or less than it in compass—it was entirely identical with it. According to Hippolytus, the God of Heraclitus 'was a fiery vapour endued with reason.' We have thus the Logos notion of Heraclitus. It was really nothing more than this fiery vapour, under one aspect as the creator of all things, under another, the universal law which governed them. This is sheer Monism. It was the inexorable Destiny, the irresistible Necessity. Essentially material, it was unconscious and in no sense personal.

The main purpose of the speculations of Heraclitus was cosmological—his searchings were for a physical cause of the cosmos. If there was anything of religion or ethics in his theory it was only of a secondary or accidental character. It lay in his theory that reason in man was simply a fragment of the universal reason. Man's duty, therefore, was to act in harmony with universal reason. The Logos was the law of morality. In all this we may trace the birth of Stoicism; we may even find in it the source of our modern theory of the 'Nebular Hypothesis,' but, assuredly, it seems a strange fountain from which we are asked to believe that St. John, using a Philonean vessel, will eventually imbibe his sublime teaching of the Logos as the God-Man, the Saviour and Redeemer of the world.

FRANCIS CLARKE.

THE N.C.W.C. PRESS AGENCY

BY REV. T. A. MURPHY, C.S.S.R.

AMONG the news items supplied by such well-known press agencies as Reuters or the Associated Press, some papers nowadays carry paragraphs with the superscription N.C.W.C. News Service. Written in full, the superscription reads, 'The National Catholic Welfare Council News Service.' This new press agency has developed rapidly, wields great power at present, and gives promise of untold influence for good in the future. It owes its origin to the fact that many American Catholics felt the necessity of having current events of Catholic interest sympathetically and accurately described, and not left to the mercy of press agents who have no sympathy with the Church or are (as often happens) clearly prejudiced against it.

The new agency was agreed upon in September, 1919, and came into full working operation in April, 1920. In less than a year and a half after its inception it was supplying news to seventy-six publications. As the agency is only one of the many activities of the Catholic Welfare Council of the United States, it is under the control of the Bishops. Dr. W. T. Russell, Bishop of Charleston, is its chairman, and valuable assistance has been rendered to it by Father J. J. Burke, C.S.P., general secretary to the Welfare Council. The actual work of the Press Bureau is, however, in the hands of skilled professional journalists. Mr. Justin M'Grath is director, and Messrs. Michael Williams and Ernest Boddington are assistant directors. Mr. M'Grath was on the editorial staff of the New York *American* for eight years, on the editorial staff of the San Francisco *Examiner* for four years, and of the St. Louis *Post-Dispatch* for four years more. He had charge of the Universal News Service at

the Paris Peace Conference. His two assistant directors have also had wide experience in journalism. Mr. Williams is particularly well known, as he has published his own story telling of his return to God after a very eventful span of life. He is the author of the remarkable book, *The High Romance*.

The 'rewriters' of the Catholic News Service, the head of the Exchange Department, the paper reader, the press translator—all have had previous experience in their work. Besides the *personnel* in the office in Washington the Bureau has several regular staff correspondents in Europe and America.¹

The news received week by week in Washington is distributed by wire or mail, as the case requires.

Every Friday [writes Michael Williams, describing the work in *America*] there is sent out a printed news sheet, eight columns in width and of standard newspaper length, on which is placed the most interesting and important foreign and domestic Catholic news. The news sheet is supplemented by a mimeograph service mailed simultaneously. In all, from eighteen to twenty newspaper columns of material, exclusive of the cable and special news sent out on Monday, are distributed each week. In addition to this, once a month there is distributed an editorial sheet, containing important special articles, written and signed by authorities and writers of international standing, both clerical and lay; together with short editorials and book reviews, intended to supplement the editorial material prepared by the individual journals.

It has been found, as might have been expected, that, by putting more efficiency into the publication of Catholic papers, their circulation has increased. One paper in particular more than doubled its circulation after it began the use of the Catholic News Service. One can easily imagine what a blessing it is for an editor, whose readers are Catholics, to have arriving in his office every week some twenty columns of news of Catholic interest, in addition to eight columns of editorial matter supplied once a month, together with special articles or special news sent out from time to time. These totals represent the weekly and monthly output of the N.C.W.C. News Service.

¹ The Address of the American Office is: Press Department, N.C.W.C., 1312 Massachusetts Avenue, N.W., Washington, D.C.

This new Bureau is up to date in every respect. For instance, it keeps what the newspaper men call a 'future book,' that is, a book in which are noted facts concerning pending events of importance. This enables the Bureau to keep a watch on the unfolding of these events. It has also an Exchange Department, in which twenty-one secular daily papers and sixty Catholic weeklies are received. These publications are read through by experts, who cull out and file for reference whatever articles or news-items may be of importance, not only for the Press Bureau, but for any of the activities of the Catholic National Welfare Council.

The American Bishops have more than once signified their whole-hearted approval of the methods and work of their Press Agency. Every year they set aside one month as a National Catholic Press Month and one Sunday as a Press Sunday. This year the month was March, and the Sunday Sexagesima. Priests were requested to preach on the subject of the Catholic Press, and otherwise to help the movement.

A new field of activity was opened to N.C.W.C. News Service when its publications were introduced into Catholic colleges in America. Forty colleges have already become subscribers, its well-written articles being looked upon as important factors in the literary and Catholic training of young Americans. The late Father Plater, S.J., pleaded earnestly in his *Apostolate of the Press* for some such study in Catholic colleges :—

Our older boys and young men [he wrote] see little of the Catholic Press. The truth is that they lack that background of interest which might lead them to follow intelligently the battle which the Church is waging on a hundred fields. They too often fail to realize that in the immediate future they themselves will be called upon to take part in the struggle. . . . Religious instruction should, we take it, include the bringing home to boys the responsibilities which await them as Catholics, the nature and magnitude of the interests at stake, the possibilities of magnificent service which lie before them.

The N.C.W.C. Press Bureau admirably supplies the branch of education for which Father Plater pleaded. And

be it remarked that its publications are supplied at special rates to colleges.

As far as the present writer is aware, no Irish paper or magazine has as yet subscribed to this splendid Catholic agency. The best beginnings are, of course, usually slow. But once Irish editors become aware of the success of the new movement in America it is probable that many of them will be only too glad to profit by it. The Catholics in the United States are eighteen millions strong, but the new paganism surrounds them on all sides. Irishmen have the same dangers at their own doors as the Americans have—dangers that are just as insistent and just as great. As the late Dr. O'Dwyer of Limerick pointed out in one of his pastoral letters, 'our close, too close, union with England is a great and growing danger. England's literature, whether periodical or newspaper, or in more permanent forms, is steadily drifting away from revealed religion. The extent to which that literature, irreligious at bottom, and largely sensual and corrupt, is telling on the mind of the country is hardly realized.' The same keen intellect, which so easily penetrated the surface of things and grasped the values underneath, made another remark on the subject well worthy of consideration: 'We might go on for years in the olden ways, crowding to Mass on Sundays, observing all the external forms of religion, and yet undergo great and serious changes, in the deepest convictions of our hearts.'

No one will deny the truth of these words; and surely the papers that will bring into Irish homes the fine results of the enterprise and labours of our fellow-Catholics in the States, and thus give the Irish people this new antidote to a godless press, will render their land a service of untold worth.

It may be worth while citing here an instance of how the same item of news may be treated by different Press agencies. In October last year, Mgr. Baudrillart, Rector of the Catholic Institute of Paris, was consecrated Bishop. Mgr. Baudrillart was one of the most gifted intellects in France,

and on the day of his elevation to the Episcopate there was great and very genuine rejoicing in Paris, especially as the Holy Father decided to permit him to remain at the head of the Catholic Institute. Two Cardinals and thirty-five Bishops were present at the consecration. Besides these there were members of the French Academy, professors of universities, and prominent representatives of State departments. At the dinner afterwards addresses were delivered congratulating the new Bishop, in the name of the people of France and of Switzerland and of Spain. All these interesting facts were cabled to, and sent out to subscribers by the N.C.W.C. News Service. The honour rendered to the great French ecclesiastic made such a stir that even secular agencies noted it. But a non-Catholic agency does not, and cannot treat Catholic events with the same sympathy and understanding as a Catholic agency. Here is, exactly, how the event featured in an Irish daily paper of October 31, 1921 :—

FRENCH CHURCHMAN'S ELEVATION.

At Notre Dame, Paris, Mgr. Baudrillart, Rector of the Catholic Institute, was consecrated titular Bishop of Nimeria. Cardinals Dubois and Luçon and Mgr. Ferretti, the Papal Nuncio, were present.—Reuter.

In citing this example there is no intention of casting even the shadow of censure on any Irish paper ; it is given just to show the advantages which a Catholic news agency possesses in supplying Catholic news. Its agents have a better understanding of the events, and will weigh them better ; they are on their guard against false anti-Catholic news and calumny, and far from giving these circulation, they will circulate an answer to them if other writers publish them.

It has often been urged by Irish Irelanders that Irishmen feed their intellects too exclusively on literature that comes from English sources : that Anglicization cuts off Ireland to a great extent from the currents of European thought. The truth of this position cannot well be denied. Now come our fellow-Catholics in America offering Catholic news and views direct from America and from Europe,

through American channels. Let us hope that our enterprising journalists in Ireland will profit by the offer.

There are some points which the men behind the Catholic Press movement in America lay stress upon from time to time. It may be well to repeat them here in conclusion: it is not a political movement, or one that seeks domination in any sphere; neither is there question in it of vilifying the belief of any man. But there *is* question of rendering splendid service to the souls of men, and of helping to safeguard for Catholics the priceless treasure of their faith.

T. A. MURPHY, C.S.S.R.

NOTES AND QUERIES

CANON LAW

PARISHES IN THE UNITED STATES. MASS FOR A PROTESTANT

REV. DEAR SIR,—Would it be imposing too far on your good will to ask you to solve the following case in the next issue of the I. E. RECORD :

Joannes parochus serio dubitat an pastores animarum in his Statibus Unitis revera dici debeant parochi canonici. Exinde etiam ut dubiam habet legem de Missa Pro Populo applicanda, et quia, ut ait : 'Lex dubia non obligat' hanc praedictam applicationem omittit saltem in festis suppressis.

Idem saepius accipit Missarum stipendia a Protestantibus qui Missam petunt pro infirmo, vel etiam pro defuncto pariter Protestantico.

Tenet autem Joannes tales intentiones juxta Codicem Juris non solum acceptari, sed etiam annuntiari posse.

Quaeritur : Quid dicendum de opinionibus et de modo agendi Joannis ?

An early solution of above case, and comments on principles involved, would be appreciated by a subscriber in the U.S., who has been reading the I. E. RECORD for years.

AMERICA.

1°. We have already on more than one occasion, in the pages of the I. E. RECORD, dealt with the status of pastors in the United States and similarly situated countries.¹ The question is of great practical importance, mainly on account of its implications in reference to the Mass *pro populo* ; and, although one would think that sufficient time had now elapsed since the publication of the Code for a definite solution to have been reached, we are well aware, not merely from the present query, but also from other sources of information, that in many places considerable uncertainty still prevails. In those circumstances no apology is needed for again putting this subject before our readers, though we can do very little more than bring together the views to which we have already given expression.

It is scarcely necessary to state that, prior to the publication of the Code, in the United States, England, and a few other similarly situated countries, canonical parishes were not in existence, even though a

¹ Cf. I. E. RECORD, May, June, and October, 1919.

Hierarchy had been long erected; and hence in these places the rectors of missions, as they were called, were not parish priests in the strict sense, nor were they consequently bound by all the pastoral obligations, and in particular by the Mass *pro populo*. Nor was this state of things out of harmony with the general law. True, indeed, the ordinary discipline of the Church was that a diocese should be divided into strict canonical parishes, but at the same time the Council of Trent recognized that the special circumstances of particular places might render the establishment of parishes impossible, or at least very inconvenient, and made provision accordingly. Thus, in the 13th chapter of the 24th Session, *de ref.*, it ordered that, in those cities and places in which parishes had no defined boundaries or no special pastors, Bishops should divide the people into fixed, definite parishes, and should assign to each a perpetual and special parish priest, or that they should make some other more suitable provision, as the circumstances of individual places might require.¹

The Code has modified this discipline. Canon 216 prescribes without exception that dioceses should be divided into parishes. 'The territory of every diocese,' it states in § 1, 'should be divided into distinct territorial parts, and to each part should be assigned its own special church and people, and over each, for the necessary care of souls, should be placed its own special rector as its proper pastor.' And in § 3 it adds that: 'The parts of dioceses of which there is question in § 1 are parishes.' The important question immediately arose as to whether the existing divisions of dioceses, in countries like the United States and England, were automatically converted by this canon into parishes, or whether to effect this decrees of erection on the part of the Bishops concerned were still necessary. In this latter hypothesis there would, of course, be an obligation on the Bishops to immediately proceed with the issuing of such decrees.

From the very beginning we were of opinion that parishes were not automatically created by this canon, but that special action by the Bishops was still necessary.² The first document issued by the Roman Curia which had any bearing on this question seemed, however, to favour the contrary view.³ Since, however, it was merely a decision of the Congregation of the Council in reference to certain divisions of territory in the diocese of Breslau, and since, moreover, it was rather doubtful whether or not these divisions were parishes before the publication of the Code, this document really threw very little additional light on the subject. A short time afterwards, however, in the *Acta Apostolicæ*

¹ 'In iis quoque civitatibus ac locis, ubi parochiales ecclesie certos non habet fines, nec earum rectores proprium populum, quem regant, sed promiscue petentibus sacramenta administrant, mandat Sancta Synodus episcopis . . . ut distincto populo in certas propriasque parochias unicuique suum perpetuum peculiaremque parochum assignent . . . aut alio utiliori modo, prout loci qualitas exegerit provideant.'

² Cf. I. E. RECORD, May, 1919.

³ *Acta Ap. Sedis*, February, 1919, p. 46.

Sedis of September, 1919, the Consistorial Congregation published an authoritative declaration on this matter. We shall give a free rendering of its dispositive part :—

I. From Canon 216 of the Code of Canon Law, it is certain that the parts of dioceses as above, to which a special pastor for the care of souls is assigned, in future should be regarded as *parishes* and be called by that name; the name of *quasi-parishes* and missions being reserved for the parts into which Prefectures and Vicariates are divided.

II. For the constitution of parishes there is required, indeed, a decree of the Ordinary, by which are determined the boundaries of the territory, the seat of the parish, and the endowment, both for the upkeep of religious worship and for the maintenance of the priest; it is not necessary, however, that the rector should be irremovable, nay more, if there be just causes, it can be declared in the decree of erection itself that he is removable, in accordance with Canons 1411, § 4, 454, § 3, and 1438.

III. But if the fact that the number of the faithful is small or fluctuating, or that a sufficient endowment is completely wanting, renders it inadvisable to erect certain churches into parishes, such churches are to be regarded as subsidiary or auxiliary within the boundaries of some parish, in the territory of, and in dependence upon, which they will remain until they become fit to obtain the status of parishes themselves.

IV. In constituting the dowry of parishes that are to be erected the regulations which are made in the Code, in Canons 1409, 1410, and 1415, § 3, should be kept in mind.

V. Furthermore, when canonical erections as above have taken place, the rector of the parish, whether parish priest or vicar-econome, is bound by the obligation of applying the Mass *pro populo*; from this obligation rectors of auxiliary or subsidiary churches are exempt. But if, indeed, the obligation is found to be too severe, recourse should be had to the Holy See to have it lessened.

In the introductory part of the declaration it is stated that the countries covered by it are those which, prior to the *Sapienti Consilio*, had been under the jurisdiction of the Propaganda, but which after the promulgation of that decree became subject to the common law; and, of course, the United States comes within this category. Well, the declaration makes it quite clear that in these countries the existing divisions of dioceses did not become parishes automatically in virtue of Canon 216, but that, in addition, formal decrees of erection on the part of the Bishops were also required. Of course, the Bishops were bound to issue such decrees, but unless they did so, the parishes did not come into existence, nor are the rectors bound by the obligation of the Mass *pro populo*. Whether or not parishes have been actually established in the United States is a matter of fact in regard to which we must plead ignorance, but, of course, the presumption is that they have been. We are also without information as to whether individual Bishops have obtained from the Holy See any modification of this declaration or of the obligation of the Mass *pro populo*. These are matters in regard to which rectors themselves in any particular diocese can easily set all doubts at rest by approaching the episcopal curia.

The law on this matter, as we have seen, is quite clear, and the question of fact can be quite easily resolved. If, then, any rector doubts whether his mission has become a parish, and whether, consequently, he is bound by the obligation of the Mass *pro populo*, he should inquire from his Bishops or from some official of the episcopal curia whether the decree of erection has been issued or not. If it has, then the obligation exists; if it has not, then, apart from some special modification of the declaration by the Holy See, the obligation does not exist. In these circumstances a discussion on a rector's position in the hypothesis of the obligation being really doubtful does not seem to be of practical import. Speaking from the theoretical standpoint, however, if the doubt which existed were one of law, then, in accordance with Canon 15 the obligation ceased altogether; if it were one of fact, then, so long as the doubt persevered, the obligation would not urge; but if afterwards the doubt were removed and it were shown that, objectively, the obligation existed all the time, every Mass omitted should be supplied.

Before concluding it may be well to say a word or two on the position which obtains in Australia. This declaration of the Consistorial Council directly referred only to countries which the Constitution *Sapienti Consilio* had removed from the jurisdiction of the Propaganda and subjected to the common law. As Australia still remains a missionary country it was, therefore, not included; yet one was prone to conclude, from the similarity of conditions which existed between it and the countries covered by the declaration, that there also decrees of erection on the part of the Bishops were required for the establishment of parishes. However justifiable this conclusion may have been, it is no longer tenable. Early in 1921 the Propaganda issued special regulations on this matter for countries subject to its jurisdiction, but with an established Hierarchy, which, in substance, declare that the existing divisions of dioceses have automatically become parishes without any decrees of erection, but that the parish priests are bound to the Mass *pro populo* only on those greater feasts enumerated in Canon 306.¹

2°. Canons 809 and 2262 contain the present regulations regarding the offering of Mass for heretics. According to Canon 809, Mass may be applied for all whatsoever, both the living, and also the dead expiating their crimes in the fire of purgatory, without prejudice to the prescriptions of Canon 2262, § 2, n. 2.' This latter states that priests are not forbidden to apply the Mass privately and without scandal for an excommunicate; but that, if the excommunicate is a *vitandus*, they can offer it only for his conversion. Now, Protestants and other heretics are excommunicates—but ordinarily not *vitandi*—at least in the external forum with which ecclesiastical laws are primarily concerned; and consequently, they are affected by the restrictions contained in this canon.

¹ *Acta Ap. Sedis*, January, 1921, p. 18, n. 2: 'Quae vero territorii partes limitatae jam sunt vel limitari in posterum contingat ad normam Can. 216, eae nomine paroeciae veniunt; at eisdem applicantur ea quoque quae de quasi-paroeciis peculiariter statuta sint.'

Hence, in the case of a Protestant who is living, the Holy Sacrifice may be offered, privately and without scandal, not merely for his conversion, but also to obtain for him any other favour, spiritual or temporal. The Code has, therefore, rendered the discipline on this matter less stringent than it has been previously. For deceased Protestants, too, Mass may be offered under the same conditions, that is, privately and without scandal; in practice it can never be reckoned with certainty that they are to be numbered either with the blessed in heaven or the condemned in hell.

DECISIONS OF THE COMMISSION FOR THE INTERPRETATION OF THE CODE

In accordance with our usual custom we shall give our readers a free rendering, with a few brief notes attached, of the rather important decisions of the Commission for the interpretation of the Code of Canon Law, which appeared in the August issue of the *Acta Apostolicae Sedis*.

I

Regarding the acquisition of a Domicile (Canon 93)

Whether a wife, who has been maliciously deserted by her husband, can, in accordance with Canon 93, § 2, acquire a distinct domicile of her own.

The reply is: In the negative, unless she has obtained from an ecclesiastical judge a perpetual separation or one for an indefinite period.

Canon 93, § 2, to which reference is made in this query, states that a wife who is legitimately separated from her husband may acquire a domicile of her own. Now a wife, who has been maliciously deserted by her husband, is, so far as she herself is concerned, legitimately separated from him, so that the decision seems to be a restriction of the Canon, if its words are taken in their widest sense. It may be urged, indeed, that the word *legitime* of Canon 93 implies the intervention of ecclesiastical authority, so that a separation would not be legitimate, unless it were sanctioned by the decree of a superior. This, however, is not the case. For example, Canons 1129 and 1130 clearly imply that separation on account of adultery is quite as legitimate without as with the authority of an ecclesiastical judge; and there can be no doubt that a wife who, on her own authority, separates from her husband for this reason could acquire a domicile. The reason for the decision, therefore, must not be sought in the non-intervention of ecclesiastical authority; it is to be found, we think, rather in the unstable nature of the separation, and consequently of the wife's residence apart from her husband. If a man who deserts his wife elects to return to her, she will be bound to renew co-habitation, so that the separation is entirely dependent on the husband's will. Manifestly, a wife in these circumstances is incapable of having the domicile which is acquired by residence in a place with the intention of remaining there for ever. Apart, however, from this decision the domicile acquired by mere residence without intention would not be absolutely incompatible with the wife's position.

The decision states that a wife thus deserted cannot acquire a domicile unless she has obtained from an ecclesiastical judge a perpetual separation or one for an indefinite period. By analogy, therefore, it would seem that even when the separation has taken place for some other cause, whether by the authority of an ecclesiastical judge or on the wife's own initiative, she cannot acquire a domicile unless the separation is *de jure* perpetual or for an indefinite period.

II

Regarding the Obligations of Clerics (Canons 130, 590)

1. Whether parish priests or vicars with the care of souls who are religious are bound to undergo the examination of which there is question in Canon 130, § 1, before the Ordinary or his delegate, if, before their religious Superior or his delegate, they have undergone the examination of which there is question in Canon 590.

And in the supposition of a reply in the negative :

2. Whether, in the case of negligence of the religious Superiors about the examination of which there is question in Canon 590, the local Ordinary can compel these religious to undergo, before himself or his delegates, the examination prescribed in the aforementioned Canon 130, § 1.

The reply to 1 is : In the negative.

To 2 : Recourse must be had in the case to the Sacred Congregation of Religious.

These replies present no difficulties. Seeing that religious are obliged by Canon 590 to undergo before their own Superiors an examination in the sacred sciences similar to that prescribed in Canon 130, they are, from the nature of things, excluded from the ambit of this latter. The fact that religious with the care of souls are expressly mentioned in Canon 131 as being bound by the obligation of attending diocesan Conferences makes this all the clearer.

This decision, we need scarcely remark, is of importance only in places in which parishes are committed to the care of religious ; in Ireland, therefore, it will find practically no application.

III

Regarding the loss of Ecclesiastical Offices (Canons 189, 191)

1. Whether, in accordance with Canon 189, § 2, an Ordinary can validly accept a resignation after the lapse of a month from the resignation, without a new resignation having taken place.

The reply is : In the affirmative, unless the person resigning has withdrawn the resignation handed in to the Ordinary before its acceptance, and has informed the Ordinary of the withdrawal.

2. Whether, in accordance with Canon 191, § 1, a person who resigns can withdraw his resignation before its acceptance.

The reply is : In the affirmative.

Canon 189, § 2, requires a local Ordinary to accept or refuse the resignation of an ecclesiastical office within a month. As there is no

invalidating effect attached to the neglect of this obligation, it is clear that the acceptance of the resignation, even after a longer period than a month, would be quite valid, provided of course the resignation had not been withdrawn. The reply to the first query, therefore, is merely declaratory.

The difficulties in connexion with the second query will best be appreciated by quoting, in their original form, Canon 190, § 1, and Canon 191, § 1. Canon 190, § 1: 'Officium, renuntiatione legitime facta et acceptata, vacat postquam renuntianti significata est acceptatio'; Canon 191, § 1: Semel legitime facta renuntiatione, non datur amplius poenitentiae locus, licet renuntians possit officium ex alio titulo consequi.' Considering the use of the phrase 'renuntiatione legitime facta et acceptata' in Canon 190, § 1, one would naturally conclude that the phrase 'resignatione legitime facta' of Canon 191, § 1, did not include the acceptance of the resignation, and consequently that a withdrawal of the resignation even before it had been accepted was not permitted. On the other hand, the clause 'licet renuntians possit officium ex alio titulo consequi' seems to indicate that the resignation contemplated in Canon 191, § 1, is an effective one involving acceptance. The reply of the Commission, declaring that withdrawal may take place until the Ordinary has accepted the resignation, clears up this doubtful point.

IV

Regarding Parish Priests (Canon 460)

1. Whether Canon 460, § 2, applies only to parishes to be erected after the promulgation of the Code, or also to parishes already erected.

And in the supposition that the answer to the first part is in the negative, to the second part in the affirmative:

2. Whether the same regulation of the canon applies to parishes already erected in which a plurality of parish priests has been introduced, not by custom or privilege, but by legitimate statute.

And in the supposition that the answer is in the affirmative:

3. Whether acquired rights are retained in their entirety by 'portionary' or cumulative parish priests, as they are called, both in regard to spiritual things, as well as to temporalities; or are they revoked, even in regard to temporalities.

And in the supposition that the answer to the first part is in the negative, to the second part in the affirmative:

4. Whether the principal and undivided care of souls is to be given to the parish priest who has the pre-eminence of honour over the others, or to the one who is the longer in possession.

The reply to 1 is: In the negative to the first part; to the second part, in the affirmative.

To 2: In the affirmative.

To 3 and 4: Provided for in the preceding replies; for the application of the Canon to those particular cases recourse must be had to the Sacred Congregation of the Council.

Canon 460, § 2, states that: 'In the same parish there should be only one parish priest with the actual care of souls, contrary custom being reprobated and every contrary privilege being withdrawn.' The reprobation of custom and the withdrawal of privilege makes it quite clear that this regulation applies to parishes already established as well as to those to be erected after the promulgation. In virtue of Canon 6, n. 1, it applies also to parishes in which a multiplicity of parish priests was the result of legitimate statute, so that the reply to the second point is again merely declaratory. From the reply to the third point it follows that cumulative parish priests of this kind, who were in existence at the time of the publication of the Code, do not retain their acquired rights nor continue in office; the question, however, as to which of them is to act as sole parish priest must be referred in individual cases to the Holy Sec.

V

Regarding Vicars who are substituted, and supply, for an absent Parish Priest in so far as assistance at Marriages is concerned (Canon 465, §§ 4 and 5)

1. Whether a vicar substitute, of whom there is question in Canon 465, § 4, can, after the approbation of the Ordinary, lawfully and validly assist at marriages, if no limitation has been made.

2. Whether the same vicar can do so, even before the approbation of the Ordinary.

3. Whether the same vicar of a parish priest who is a religious can do so, after the approbation of the Ordinary, but before the approbation of the religious Superior.

4. Whether the vicar or supplying priest, of whom there is question in Canon 465, § 5, can do so before the approbation of the Ordinary. The answer to 1 is: In the affirmative.

To 2 is: In the negative.

To 3 is: In the affirmative.

To 4 is: In the affirmative, as long as the Ordinary, to whom the appointment of the supplying priest has been notified, does not declare otherwise.

Canon 465, § 4, states that: 'Whether the time of vacation is continuous or interrupted, when the absence is to last for more than a week, the parish priest, in addition to a legitimate cause, should have the written permission of the Ordinary, and should leave in his place a vicar substitute, approved by the same Ordinary; but if the parish priest is a religious he needs also the consent of his Superior, and the substitute should be approved both by the Ordinary and the Superior. § 5 of the same canon further declares that: 'If a parish priest, for a sudden and grave cause, is compelled to leave and to be absent for more than a week, he should give notice to the Ordinary by letter as quickly as possible, indicating to him the cause of his departure and the priest who is acting as substitute, and should obey his commands.' The powers

of a priest who supplies in this way for a parish priest absent from his parish are defined in Canon 474: 'A substitute vicar who is appointed in accordance with Canon 465, §§ 4 and 5, takes the place of the parish priest in all things which have reference to the care of souls, unless the local Ordinary or the parish priest make any exception.'

These references help towards an appreciation of the significance of these replies. Canon 474 shows that the supplying priest, unless his faculties have been restricted, can assist at marriage, because assistance at marriage pertains to the pastoral care; the first reply, therefore, merely confirms what is already clearly contained in the Code. It is evident, too, that in the usual case of absence contemplated in Canon 465, § 4, the substitute is not fully constituted, and consequently cannot assist at marriage or perform any act for which jurisdiction is needed, until the Ordinary has approved him.

Whether, in the case of a substitute for a parish priest who is a religious, the approbation of the religious Superior, as well as that of the local Ordinary, is necessary for valid constitution is not quite clear from the Canon. From the fact that the power to exercise the pastoral care is entirely dependent on the local Ordinary, it would seem that it is not. The Commission has adopted this view.

The answer to the final query is also merely declaratory. When a parish priest has to leave his parish so suddenly that he has not time to communicate with the Ordinary, in accordance with the terms of Canon 465, § 5, his substitute is fully constituted, and consequently can assist at marriages and exercise the pastoral care generally without the approbation of the Ordinary.

VI

Regarding Vicars who administer a vacant parish in reference to the Mass 'pro populo'

Whether a vicar who administers several parishes during the time of their vacancy is bound to apply only one Mass on the prescribed days for the peoples committed to his care.

The reply is: In the affirmative, in accordance with Canon 473, § 1, taken in conjunction with Canon 466, § 2.

According to Canon 473, § 1, a vicar who administers a parish during its vacancy enjoys the same rights and is bound by the same obligations as a parish priest in those matters which have reference to the care of souls; and as Canon 466, § 2, declares a parish priest who governs several parishes is bound only to one Mass *pro populo*, it seems clear enough, apart altogether from this reply, that, similarly a vicar who administers several vacant parishes should be bound to apply only the one Mass *pro populo*.

In the next issue of the I. E. RECORD we shall deal with the remaining decisions of the Commission.

J. KINANE.

LITURGY

INTERPRETATION OF THE ORDO. BLESSING OF A GRAVE
IN A CONSECRATED CEMETERY. THE COLOUR OF THE
SANCTUARY LAMP. THE BLESSING OF THE FONT ON
HOLY SATURDAY

REV. DEAR SIR,—I shall be grateful for replies to the following queries in the next issue of the I. E. RECORD :—

1. How are the words in the *Ordo* (see p. 72) ‘*Diebus infra Oct. prohibentur Missae de Requie exceptis exequialibus*’ to be interpreted? Do the two *italicized* words mean *all* funeral Masses, sung or read? I have heard it contended that they must be interpreted in the light of the Notes ‘*De Missis pro defunctis*’ at the beginning of the *Ordo*, with particular reference to the Rescript of 1862, No. 5. One would expect that if they are to be restricted to sung Masses only, that fact would have been stated. I believe the general interpretation is that *black* may be used at *any* funeral Mass, read or sung, unless when expressly prohibited by the wording in the *Ordo*.

2. Is it necessary to bless the grave of a newly blessed or consecrated cemetery?

3. (a) What colour ought the Sanctuary lamp be? (b) May there be an equal number of Sanctuary lamps or should the number be odd?

4. On Holy Saturday the Font is to be blessed and the new Holy Oils put into it. If, however, as sometimes happens, a priest has not got the new oils and a baptism has to be administered, we are told in the circumstances, ‘*vetera olea infunduntur*.’ In such a case are the new oils also to be put in (‘*privatim*’), when they are afterwards procured?

SACERDOS.

1. The words are to be interpreted in the light of the Notes at the beginning of the *Ordo* with particular reference to the Rescript of 1862, n. 5. The privileged exequial Mass is ordinarily a sung Mass—‘*unica Missa solemniter vel cantata*’—the only general exception being an exequial Mass ‘*pro paupere*,’ which may be read under the same conditions as the Mass ‘*cum cantu*’ is permitted. By the Rescript of 1862 Ireland enjoys the privilege ‘*ob inopiam sacerdotum*’ of having a low exequial Mass on certain days when the general law would exclude it, but the Rescript expressly states that the privilege is not available within a privileged Octave. We should have thought it would have been taken as a matter of course that the directions throughout the *Ordo* were to be interpreted in the light of the introductory Notes so very clearly expressed, and we seriously question the statement of our

correspondent that the prevailing practice among priests is otherwise. The meaning of a 'Missa exequialis' with the privileges attaching to it is clearly conveyed in the Note referred to, and as such it is to be understood whenever it occurs in the body of the book.

2. As a general rule, the grave is not to be blessed if the cemetery has been already blessed or consecrated. This might be inferred from the rubric of the Ritual—'Cum autem pervenerit ad sepulchrum, si non est benedictum, sacerdos illud benedicit, dicens hanc orationem'—but the use of the word 'sepulchrum' is somewhat ambiguous and at one time gave rise to a diversity of opinion amongst rubrical authorities. The matter was finally referred to the Sacred Congregation, and we have its decision in the decrees ¹ of 1876 and 1880. If an ordinary grave is dug in a consecrated or blessed cemetery, there is no need for a further blessing 'quia locus praecipue ad hunc usum jampridem benedictus sit,' but if there is question of a crypt or vault or a grave lined with stone, it should be blessed the first time a burial takes place therein, 'ratione novae materiae adhibitae in aedificatione sepulchri.'²

3. (a) There is no special colour prescribed for the Sanctuary lamp. It is usually of bright transparent glass 'in quo ardet flammula,' but it may also be coloured green or red. The ruling³ of the Sacred Congregation is quite definite on the matter: *Q.* 'Num tolerari possit usus adhibendi hujusmodi lampades ex vitro non pellucido et diaphono sed colore aliquo tincto, v.g., viridi vel rubro?' *R.* Affirmative.'

(b) The rubric of the Ritual (tit. iv. cap. i. n. 6) is: 'Lampades coram eo plures vel saltem una, die noctuque perpetuo colluceat,' and the *Ceremoniale Episcoporum* (lib. i. cap. xii. n. 17) prescribes that when several lamps are used the number should be odd.

4. Our correspondent is not sufficiently definite in stating his case, nor does he cite his authority for the rubrical direction 'vetera olea infunduntur.' What we should like to know, and what he does not state, is whether on the occasion of the blessing of the Font on Holy Saturday, there is any prospect of getting the oils within a reasonable time, say within a few days or a week. If there is no such hope, the oil and chrism of the preceding year should be used, and the water thus blessed is preserved in the Font and used until the Vigil of Pentecost. There should in such a case be no infusion of the new oils ('privatim') if they should arrive in the interim. If the oils are only accidentally delayed and there is a reasonable hope of having them within a short time, the infusion of the oils should be omitted in the ceremony of Holy Saturday, and supplied ('privatim et separatim') as soon as they arrive. This is in accordance with a decision of the Sacred Congregation, dated August 12, 1854, which, though not included in the latest collection of authentic decrees, is nevertheless held by reliable authorities to be a genuine and binding decree. At any rate the ruling is substantially the

¹ Decr. S.R.C., 3440⁵; 3524¹.

² Vid. Van der Stappen, tom. v. p. 330.

³ Decr. 3576.

same as that contained in two other undoubtedly authentic decrees¹ of the same Congregation.

The presentation of a child for baptism pending the arrival of the new oils has nothing to do with the blessing of the Font, though it may give rise to difficulties on its own account. If the baptism is to take place before the actual blessing of the Font on Holy Saturday, the old baptismal water presumably still remains and should be used. If the presentation for the baptism occurs after the blessing of the Font and none of the old baptismal water has been preserved, then the water of the new Font, which as yet awaits the infusion of the Holy Oils, may be used,² or, if convenient, the baptism might be deferred until the new oils arrive. As regards the unctions prescribed in the ceremony of baptism, these are to be deferred until the new oils and Chrism are procured, if there is a reasonable prospect of their arriving soon; if not, the unctions should be carried out with the old oils, just as we have stated above should be done in similar circumstances when the Font is blessed.

OMISSION OF THE PRAYERS AND 'DE PROFUNDIS' AFTER MASS. A RUBRIC OF THE MISSAL. THE SAME PRAYER IS NOT SAID TWICE IN THE MASS

REV. DEAR SIR —1. May the rules laid down by the S.R.C. concerning the omission of the prayers at the end of Mass ordered by Leo XIII. be also applied to the recital of the 'De Profundis' here in Ireland?

2. May the Prayers ordered by Leo XIII be omitted at the end of the first Mass in cases of bination if the celebrant does not leave the altar?

3. In the new Missal the rubric prescribes minutely the way in which the priest who has to binate at the same altar is to proceed. The rubric clearly insists on the point that he must not extend the chalice outside the corporal so long as the chalice has not been purified. Should not the same precaution be observed at the Ablutions in an ordinary Mass, or is it rubrical for a priest to extend the unpurified chalice to the server outside the corporal?

4. On the 11th August, Feast of St. Attracta, V., a commemoration had to be made of St. Lelia, V. Now, the Secret and Post-Communion Prayers were identical. What should have been done in the case, or would it suffice to put the Prayers in the plural?

SCRIBA.

1. No; for it was not Leo XIII nor any Pope, as far as we know, that ordered the recital of the 'De Profundis' after the Mass in Ireland.

¹ Decr. 2436; 2773. See O'Kane, *Rubrics of the Ritual*, new edition, pp. 107-110.

² There does not seem to be any obligation to use this water in preference to common water for a baptism, for without the infusion of the Holy Oils, 'it is not yet,' as O'Kane says, 'in strictness, baptismal water.' See O'Kane, p. 110.

It is probably an instance of a custom of long standing eventually getting the force of a national law and finally receiving the formal sanction of ecclesiastical authority at the Maynooth Synod. Its recital, therefore, is unaffected by any Roman legislation dealing with the saying or omission of the Prayers prescribed by Leo XIII.

2. From the circumstances given by our correspondent we infer that there is question of bination on Christmas Day and All Souls' Day, when, by the general law, each priest is allowed to say three Masses. We can hardly conceive a faculty to binate granted by Apostolic Indult or by the power of the Ordinary of the diocese to apply to a case where the celebrant does not leave the altar until the second Mass is over, except on the rather extraordinary hypothesis that the celebrant decides to remain at the altar until the church is cleared and a new congregation admitted. We do not think that bination of itself in such a case would afford a valid excuse for the omission of the Prayers after either Mass. If, however, one of the two Masses happened to be the principal parochial Mass of the day,¹ or was celebrated with some external solemnity, or was followed by some function or pious exercise, 'quin celebrans ab altari recedat,' e.g., Benediction of the Blessed Sacrament, the Prayers might be omitted after that Mass, according to the recent decree of the Sacred Congregation, dated June 20, 1913.

If there is question of bination on the Feast of Christmas or on All Souls' Day, the Prayers need be said² only after the last of the two or three Masses said, provided the Masses follow consecutively, 'quin celebrans ab altari recedat.'

3. Yes; the rubrics of the new Missal directing the celebrant as to how he should proceed in both cases are quite clear and there is no semblance of contradiction between them, but we fear our correspondent has not read them carefully. In one case, the direction is: 'ablato velo de calice, hunc parumper versus cornu Epistolae collocat sed non extra corporale'; in the other it runs: 'et nuper altare porrigit calicem ministro in cornu epistolae, quo vinum fundente, se purificat.' We have italicized the two important words which contain the solution of our correspondent's difficulty. At the Offertory the celebrant himself pours the wine into the chalice, having placed the chalice for that purpose on the table of the altar at the Epistle corner; when he binates, he must *place* the unpurified chalice within the corporal. This is in accordance with the general rubric that an unpurified chalice should rest on a corporal. At the Ablutions, however, he merely extends the chalice to the server above the table of the altar, and his action in doing so is, as we see above, quite in accordance with the rubric of the Missal.

4. When it happens that in the celebration of a Feast in which a Commemoration occurs, the two Prayers, Secrets, and Post-communions are the same, the rubric³ of the Missal is as follows: 'Cum vero dicuntur

¹ See *Ephem. Liturg.*, December, 1913, p. 727; I. E. RECORD, October, 1919, p. 323.

² Decr. 3705; 3855.

³ *Rubricae Generales*, tit. vii. n. 8.

plures Orationes, et una Oratio sit cum alia ibidem dicenda, Oratio ejusmodi, illa scilicet, quae eadem est, non aliae, commutetur cum alia de Communi, vel proprio, quae sit diversa. Idem servetur in Secretis et Orationibus post Communionem.' In such a case, therefore, the rubric prescribes *not* that the form of the Prayers should be changed into the plural, but that other Prayers be substituted for the commemorated Feast. In the Missal, as a general rule, there is more than one Mass in the Common of Saints for each quality of saint, and the rubric is fulfilled by taking for the commemorated Feast the Prayer, Secret, and Post-communion of one of the other Masses under the particular heading. There are two Masses in the Missal 'Pro virgine Tantum,' viz., '*Dilexisti*' and '*Vultum tuum*,' but it happens that the Prayers, Secrets, and Post-communions of the two are identical. Our correspondent is naturally puzzled as to what should be done in the case seeing that it is a fixed principle of the Rubrics 'non bis in idem nec eadem Oratio debet in una Missa bis inservire.' The Sacred Congregation supplies the answer to his difficulty as appears in the following reply to an exactly similar question,¹ dated September 12, 1840: '*Q. Queritur proinde: 1. Licetne Secretam et Postcommunionem ex Missa Loquebar de Communi Virginis et Martyris desumere, omittendo verba Martyris vel et Martyre? 2. Idem ne licebit quando occurret Festum nec Virginis nec Martyris cum Festo Virginis tantum, eo quod in tali occurrentia oritur difficultas supradicta? R. Quoad primam et secundam questionem, Affirmative; cum debita exceptione, vidilicet exprimendo Virginem vel Martyrem tantum vel utrumque, juxta Officii qualitatem.*' The Secret and Post-communion, therefore, for St. Lelia may be taken from the Mass *Loquebar* ('Pro Virgine et Martyre'), omitting the words *Martyris* and *et Martyre*, or they may be taken from the other Mass, 'Pro Virgine et Martyre,' viz., *Me Expectaverunt*, as we find actually prescribed in the new Irish Supplement published by Messrs. Gill & Son.

M. EATON.

¹ Decr. 2822.

CORRESPONDENCE

HOW TO DEAL WITH THE UNMARRIED MOTHER

REV. DEAR SIR,—Referring to the recent article by 'Sagart' in the I. E. RECORD, dealing with this matter, in which the advantages of the 'Individual Treatment' are pointed out and also the dangers of the 'Herding Together System,' we think it opportune to express our entire concurrence in the writer's views. We may mention that since the inception of St. Patrick's Guild, 50 Middle Abbey Street, Dublin, we have actually been working on the lines which he now recommends, and from an experience of over twelve years we can confidently say that 'Individual Treatment' is practically the only way to deal successfully with the problem.

It may interest your readers to know that out of over 306 cases dealt with in the year 1921-22, ninety-eight per cent. turned out satisfactorily. We, of course, only deal with average cases, i.e., with girls whose characters up to the time of their lapse have been good—abnormal cases require 'Institutional Treatment.'

The 'Individual Treatment,' which we, in common with 'Sagart,' so strongly advocate, aims at character building, and with a view to this, St. Patrick's Guild has always made it a rule to get some contribution for maintenance from the persons helped, according to their means, as also from the male delinquent, whenever possible. Out of a total asset of over £5,000 last year no less than £2,444 was contributed by parents and guardians, etc.

Up to the present we have dealt with over a thousand cases, which must be considered large, having regard to the fact that we have worked unostentatiously, but the clergy got to know us early, and scarcely a post passes without an application from some priest at his wits' end as to how to deal with a difficult case.

In conclusion we may say that each case receives the fullest possible attention from our Honorary Secretary (Miss Cruice), who devotes her whole time to the interests of the Guild.

PAUL GLEESON.

REGINALD J. WHITE, F.R.C.S.I.

P.S.—The figures furnished for 1921 show only the number of unmarried mothers whose children were taken charge of, but an addition of nearly eighty cases appealed to us which were passed either to other societies or to the Dublin Union.

DOCUMENTS

INSTRUCTION FROM THE SACRED CONGREGATION OF RELIGIOUS REGARDING THE QUINQENNIAL REPORT TO BE SENT TO THE HOLY SEE BY THE MODERATORS OF RELIGIOUS INSTITUTES WITH SIMPLE VOWS

(March 25, 1922)

SACRA CONGREGATIO DE RELIGIOSIS INSTRUCTIO

SEU ELENCHUS QUAESTIONUM AD QUAS RESPONDENDUM EST A MODERATORIBUS SEU MODERATRICIBUS GENERALIBUS INSTITUTORUM VOTA SIMPLICIA PROFITENTIUM IN RELATIONE AD S. SEDEM QUINTO QUOQUE ANNO TRANSMITTENDA.

(*A Sacra Congregatione Episcoporum et Regularium primum edita, ad tramitem Codicis iuris canonici a Sacra Congregatione de Religiosis revisa et emendata.*)

PRAEMITTENDA

1. Doceatur quae decreta approbationis seu commendationis, et quando, Institutum a S. Sede obtinuerit.

2. Quinam sit finis sive scopus peculiaris Instituti.

3. Num titulus Instituti ab initio assumptus aut scopus vel habitus sodalium aliquatenus postmodum immutati fuerint et quam auctoritate.

4. Quot sint sodalium classes. Quanam vota emittantur.

5.* Quot sodales ab initio usque in praesens, aut saltem ultimo vicennio, habitum Instituti induerint.

6.* Quot sodales a fundatione Instituti usque in praesens, aut saltem ultimo vicennio, et quomodo, ab eo recesserint, sive tempore novitiatus, sive post emissa vota temporanea, sive post emissa vota perpetua. Num et quot fuerint *fugitivi vel apostatae*.

7. Quandonam ultima relatio ad S. Sedem missa fuerit.

I.—DE PERSONIS

A) De admissis.

8. Quot postulantes ab ultima relatione admissi fuerint.

9. Num pro singulis habita sint testimonia a iure requisita; speciatim vero litterae testimoniales:

a) pro viris in genere,

b) pro clericis,

c) pro illis (viris aut respective mulieribus) qui in Seminario, collegio

* Ad interrogationes aut interrogationum partes asterisco notatas nonnisi in prima, post promulgatam hanc instructionem, relatione respondendum erit.

vel alius religionis postulatu aut novitiatu fuerunt; et quidem iureiurando firmatae.

10. Num speciali aliquo modo seu industria ad nomen Instituto dandum quis allectus fuerit; et praesertim num ephemeridum ope moderatores hunc in finem usi sint.

11. Num praeterea exquisita fuerint sufficiens notitia circa eorum indolem et mores quoties id necessarium erat vel opportunum.

12. Quoties et super quibus impedimentis seu defectibus dispensatio necessaria fuerit et a quonam Superiore ecclesiastico concessa.

13. Num postulatum omnes ii quibus praescriptus est peregerint per tempus statutum in domo in qua regularis disciplina servetur.

B) De Novitiis.

14. Quot et quanam sint domus novitiatus et num unaquaeque auctoritate S. Sedis instituta sit.

15. Quot novitii post ultimam relationem habitum Instituti susceperint.

16. Quot nunc in novitiatu degant.

17. Num novitii a professis rite separati existant.

18. Num omnes habeant integrum exemplar constitutionum.

19. Num omnes ante professionem per annum integrum et continuum in domo novitiatus sub cura magistri degerint.

20. Num magister novitiorum ab omnibus officiis oneribusque vacet, quae novitiorum curam et regimen possint.

21. Num, quantum et qua auctoritate, tempus novitiatus, ultra terminum in constitutionibus praefinitum, prorogatum vel imminutum fuerit.

22. Utrum novitii primo novitiatus anno vacaverint tantummodo exercitiis pietatis, an aliis etiam et quibus operibus addicti fuerint.

23. Num durante secundo anno novitiatus (ubi peragitur) novitii in alias domus missi fuerint, et num servata fuerit instructio S. C. de Religiosis diei 3 novembris 1921.

24. (*In Institutis Sororum.*) Num ante admissionem ad habitum, ad primam professionem temporariam et ad professionem perpetuam, Episcopus vel eius delegatus praescriptam voluntatem adspirantis, et gratuito, exploravit.

25. Num professioni, quoties locus erat, praemissa fuerit vel alias opportune peracta cessio administrationis propriorum bonorum ac dispositio de eorundem usu et usufructu.

26. Num a novitiis ante professionem votorum temporariorum testamentum de bonis praesentibus vel forte obventuris libere conditum fuerit.

C) De Professis.

27. Quot nunc sint in Instituto sodales

a) votorum temporariorum.

b) votorum perpetuorum.

28. Num vota temporaria semper tempore debito fuerint renovata.

29. Num sodales tempore debito ad vota perpetua admissi fuerint post elapsum tempus votorum temporariorum.

30. Quot sodales sive professi sive novitii post ultimam relationem obierint.

D) De egressis et dimissis.

31. Quot post ultimam relationem ab Instituto recesserint :

- a) ex novitiis,
- b) ex professis expleto tempore votorum temporariorum,
- c) perdurantibus votis temporariis,
- d) post emissa vota perpetua.

32. Num in dimittendis sodalibus semper observatae fuerint, pro casuum diversitate, normae in sacris canonibus et in propriis constitutionibus praescriptae.

33. Num (excepto casu urgenti de quo in cann. 653 et 668) aliquis dimissus aut egressus fuerit :

a) ante acceptam sententiae vel decreti confirmationem ab Apostolica Sede, si agatur de viris professis a votis perpetuis ; vel ante acceptam ab eadem S. Sede decisionem, si de Sororibus a votis perpetuis professis agatur.

b) pendente recurso ad S. Sedem, si de professis a votis temporariis,

c) absque praevia dispensatione, ab ipso religioso expostulata, super votis emissis.

34. (*In Institutis sororum.*) Num egressis quacumque de causa dos, quomodolibet constituta, integre tradita fuerit, una cum supellectili quam ad Institutum attulerant, in eo statu in quo tempore egressus reperiatur.

35. Num iis quae, sine dote receptae, ex propriis bonis sibimet providere non valebant, in casu egressus ex Instituto, necessaria ex caritate suppeditata fuerint, quibus modo tuto ac convenienti domum redire et per aliquod tempus honeste vivere potuerint.

II.—DE REBUS

A) De domibus.

36. Quot domos Institutum habeat, et in quibusnam dioecesibus : an et quot habeat provincias.

37. An et quot novae domus post ultimam relationem apertae fuerint : et an in omnibus intercesserit legitima auctoritas et servata fuerit ratio in constitutionibus praescripta.

38. Quot sodales diversarum classium in singulis domibus commorentur, et (si diversa opera ab Instituto exercentur) quibusnam operibus addicti sint.

39. Num post ultimam relationem domus aliqua suppressa fuerit et cuiusnam auctoritate.

40. Utrum singuli sodales proprias cellas habeant, an saltem in communi dormitorio suum quisque cubile convenienter ab omnibus aliis separatum.

41. Num infirmis curandis separatus locus undequaque aptus addictus sit.

42. Num pro recipiendis hospitibus adsint in domo cubacula sufficienter, ut decet, a communitate religiosa separata.

43. (*In Institutis Sororum.*) Num habitatio capellani sive confessarii ingressum separatum et nullam cum Sororum habitatione communicationem habeat.

B) De bonis.

44. Quinam fuerit ab ultima relatione annui redditus et expensae :

a) tum Instituti in communi ;

b) tum uniuscuiusque domus.

45. Num ab ultima relatione sive Institutum in communi, sive certae domus in particulari, nova bona mobilia vel immobilia et cuius valoris obtinuerint.

46. Num pecuniam semper utili foenori et honesto ac tuto collocaverint.

47. Utrum et quam iacturam bonorum suorum, post ultimam relationem, fecerint, vel damna subierint, et qua de causa.

48. Num et quae bona, sive immobilia sive mobilia pretiosa abalienaverint, et qua facultate.

49. Num illorum bonorum, quae *capitalia* vocantur, partem aliquam consumpserint.

50. Num arca communis vel domus aliqua particularis aere alieno gravetur, et quanto.

51. Num ab ultima relatione nova debita contraxerint ; quaenam, et qua auctoritate.

52. Num bona temporalia, tum religionis universae, tum singularum provinciarum et domorum, per oeconomos rite deputatos administrantur ad normam sacrorum canonum et constitutionum.

53. Num oeconomi, sive generalis sive locales, rationem suarum administrationum praescriptis temporibus reddiderint ; et num huiusmodi rationes modo praescripto examinatae et approbatae fuerint.

54. Num lites de bonis habeant.

55. Num pecuniae aliaeque res pretiosae custodiantur iuxta normas hac de re traditas et praescriptum constitutionum.

56. Num et quo pacto pecuniam sive res pretiosas, a saecularibus depositas, custodiendas acceptaverint.

57. (*In Institutis Sororum.*) Utrum dotes Sororum iuxta leges canonicas in tuto ac fructifero investimento de consensu Ordinarii loci collocatae fuerint ; an et quae earum pars, quo modo et cuius permissu in expensas faciendas insumpta fuerit.

58. Num et quaenam legata pia seu fundationes in Instituto, sive pro Missis celebrandis, sive pro operibus caritatis exercendis, existant.

59. Num huiusmodi onera fideliter adimpleta fuerint.

60. Num pecunia, qua huiusmodi fundationes constitutae fuerunt, rite collocata et seorsim ab aliis quibuscumque administrata fuerit.

61. Num Episcopo iuxta sacrorum canonum praescriptum de huiusmodi fundationibus ratio reddita fuerit.

62. Quantum superfluae pecuniae in fine cuiuslibet anni a singulis domibus in arcam communem collatum fuerit.

63. Utrum sponte an invite huiusmodi pecuniae collatio ab omnibus facta fuerit.

64. Num superiorissa vel oeconomia habeat pecunias, de quibus libere, etsi pro bono Instituti, disponat, quin ullam rationem reddat.

III.—DE DISCIPLINA

A) De vita religiosa.

65. Num in unaquaque domo exercitia spiritualia pro singulis diebus, mensibus, annis vel aliis certis temporibus statuta accurate peragantur.

66. Num omnes sodales quotidie Missae sacrificio assistant.

67. Utrum omnes sodales exercitiis communibus interesse possint, et an illis qui quandoque pro negotiis domesticis ab aliquo exercitio communi eximuntur, saltem concedatur tempus privatim illud peragendi.

68. Num servantur canonica statuta :

a) quantum ad conscientiae manifestationem non exigendam,

b) quoad sacramentalem confessionem,

c) circa eucharisticae communionis frequentationem.

69. Num adsint confessarii ad iuris normam designati ; num et qui abusus irreperint, sive ex parte Superiorum libertatem a lege concessam coarctantium, sive ex parte subditorum permissa libertate abutentium.

70. Num in Institutis Sororum ubique quovis triennio confessarius ordinarius mutetur, vel debita auctoritate confirmetur.

71. Num praescriptiones de clausura servanda in parte domus Religiosis reservata fideliter observentur.

72. Num Religiosis frequenter permittatur locutorium adire et an Constitutiones in hac re servantur.

73. Num Religiosis e domo egredientibus, extra casum necessitatis, a Superioribus socius addatur.

74. Num, qua ratione et quibus temporibus habeantur institutiones catecheticae et piae exhortationes ad conversos aliosque alumnos nec non ad famulos seu convictores.

75. Num et quanam scripta periodica sodales edant aut illis conscribendis operam conferant : num in iis, sicut etiam in libris edendis, statutae leges servatae fuerint.

76. Num et quibus libris, sive antiquis sive recentioribus, etiam manu scriptis, sola moderatorum Instituti licentia editis sodales utantur.

B) De observantia quarundam specialium legum.

77. Num omnia circa Capitulum generale praescripta diligenter observata fuerint :

a) quoad litteras convocatorias ;

b) quoad electionem delegatorum ;

c) quoad electionem scrutatorum et secretarii ;

d) quoad electionem Moderatoris generalis ;

e) quoad electionem Consiliariorum, Oeconomi et Secretarii generalium.

78. Num omnino liberum fuerit sodalibus litteras, quae ab inspectione Superiorum exemptae sunt, sive scribere sive recipere.

79. Num lex de mutandis Superioribus post statutum tempus fideliter observetur. Num, quot dispensationes et a quo super hac lege impetratae fuerint.

80. Num Moderator generalis et Superiores provinciales praescriptam domorum visitationem rite peregerint.

81. Num Moderator generalis et Superiores sive provinciales sive

locales praefinitis temporibus consiliarios suos convocent, ut cum eis agant de negotiis sive Instituti sive provinciae sive domus.

82. Num in deliberationibus debita libertas consiliariis servata fuerit.

83. Num in Consilio generali electiones libere et iuxta normas praescriptas factae fuerint.

84. Utrum ubique vigeat vita communis : num omnibus sodalibus necessaria, praecipue quoad victum et vestitum, a Superioribus ea qua decet paterna caritate suppeditentur, et an forte sint qui haec sibi ab extraneis procurent.

85. Num alicubi sodales sint numero insufficientes ita ut nimis onerentur laboribus cum gravi valetudinis discrimine.

86. Num provideatur ne quid desit infirmis ex iis, quibus iuxta propriam cuiusque conditionem indigent, atque ut in corporalibus et spiritualibus necessitatibus qua par est caritate subleventur.

87. (*In Institutis Clericorum.*) Quot annis clerici vacent studiis :

a) litterarum humaniorum,

b) philosophiae, et

c) theologiae.

Quatenus autem studia domi peragantur, quot professores singulis disciplinis tradendis sint addicti.

88. Num alumnis aut etiam magistris alia officia committantur quae a studiis eos avocent.

89. Num omnes studentes :

a) integrum cursum studiorum perfecerint antequam e domo studiis destinata exierint ;

b) ante promotionem ad sacros Ordines studia per leges canonicas respective praescripta rite perfecerint ;

c) cetera omnia a sacris canonibus pro admissione ad Ordines requisita (circa titulum ordinationis, litteras dimissorias, etc.) religiose observaverint.

90. Num servata fuerit lex de examine a sacerdotibus quotannis, saltem per quinquennium, peragendo.

91. Num aliquando exerceatur negotiatio per sacros canones interdicta ; item an ars aliqua vel industria quae frequentiore afferrat consuetudinem cum extraneis ; quibus cautelis, tum pro salute illorum sodalium qui his incumbunt, tum pro externorum aedificatione.

92. An Superiores curent inter suos subditos promovere notitiam et executionem decretorum S. Sedis, quae religiosos respiciunt : item an publice legantur, praeter proprias constitutiones, decreta quae Apostolica Sedes legenda praescripserit.

C) *De operibus Instituti.*

93. Quot personis (vel classibus personarum) beneficia contulerint sodales iis operibus quibus iuxta scopum sui Instituti sese devovent.

94. Si numerus istarum personarum post ultimam relationem alicubi imminutus fuerit, indicentur rationes.

95. (*Pro Institutis quae stipem ostiatim colligunt*) :

a) an ex constitutionibus clare et certo constet de iure seu officio stipem ostiatim colligendi

b) an sacrorum canonum praescripta et S. Sedis decreta hac de re edita in omnibus religiose observentur.

96. Num ab Institutis Sororum habeantur in suis domibus diversoria aut valetudinaria pro personis quibuscumque, etiam diversi sexus; et re quatenus affirmative, cuius licentia et quibus cautelis.

97. Num et quomodo Sorores in seminariis vel collegiis vel quibuscumque ecclesiasticorum virorum domibus rem domesticam gerendam assumpserint.

98. Num Sorores opera quaedam caritatis exerceant (v.g. erga infantes aut parturientes aut chirurgi cultro incisos) quae virgines Deo dicatas et habitu religioso indutas dedecere videantur.

99. Num Sorores, quae infirmis in privatorum domiciliis inserviunt, praescriptas a Constitutionibus cautelas semper adhibeant.

100. Num Superiores permiserint commorationem sodalium in domibus saecularium, et quanto tempore.

101. (*Pro Institutis virorum.*) Num aliquod Institutum Sororum quasi ab ipsis dependens, sibi quae aggregatum, directe vel indirecte, retineant vel dirigant et quam auctoritate.

102. Num post ultimam relationem aliquod novum opus, vel potius nova species operum, aliis iam existentibus adiuncta fuerit, et quam auctoritate.

103. Num in Instituto vel in aliquibus domibus irrepserint abusus et qui.

104. Num querelae vel difficultates existant :

a) cum Ordinariis locorum,

b) cum confessariis,

c) cum capellanis.

105. (*Pro Institutis laicalibus utriusque sexus.*) An domos habeant in quibus suscipiantur ad commorandum adolescentes respectivi sexus qui publicas scholas laicas frequentant, quibus in locis, quasve scholas adeant, quomodo et per quos eorum religiosae instructioni consultum sit.

* *

Responsa autem ad suprascriptas quaestiones non solum a Moderatore seu Moderatrice generali, sed etiam a singulis Consiliariis seu Assistantibus generalibus, praevio maturo examine, signanda erunt. Si agatur de Congregatione mulierum, signanda pariter erunt ab Ordinario loci in quo suprema Antistita cum suo Consilio residet.

Quod si quis ex iisdem Consiliariis seu Assistantibus aliquid magni momenti praeterea S. Sedi significandum esse putaverit, id etiam per privatas atque secretas litteras praestare poterit. Verumtamen memor ipse sit conditionis suae et sciat conscientiam suam graviter oneratum iri, si quid a veritate alienum secretis eiusmodi litteris exponere praesumpserit.

Romae, ex Secretaria Sacrae Congregationis de Religiosis, die 25 martii 1922.

TH. CARD. VALFRÉ DI BONZO, *Praefectus.*

L. ✠ S.

MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius.*

LETTER OF THE SACRED CONGREGATION OF THE PROPAGANDA TO BISHOPS, VICARS, PREFECTS-APOSTOLIC, AND SUPERIORS OF MISSIONS REGARDING THE QUINQUENNIAL REPORTS TO BE SENT TO THE HOLY SEE

(April 16, 1922)

SACRA CONGREGATIO DE PROPAGANDA FIDE

EPISTOLA

AD EPISCOPOS, VICARIOS, PRAEFECTOSQUE APOSTOLICOS AC MISSIONUM SUPERIORES : DE RELATIONIBUS MISSIONUM, SINGULIS QUINQUENNIIS EXHIBENDIS

Sacrum Consilium Christiano Nomini Propagando per epistolam datam die 1 iunii a. 1877 Vicarios et Praefectos Apostolicos monebat, ut temporibus pro visitatione SS. Liminum a Sixto V, constitutione *Romanus Pontifex* diei 20 dec. a. 1585 pro Episcopis statutis, vel frequentius, prout mos iam alicubi invaluerat, accuratas relationes de toto eorum pastoralis munere deque omnibus ad Missionum suarum statum pertinentibus, transmitterent. Eum in finem epistolae adnectebatur *series quaestionum*, quibus in praedicta relatione exaranda respondere satagerent Superiores Missionum.

Verum, promulgato Codice iuris canonici, quo nonnulla innovata sunt aliaque aliter ordinata, expedire visum est ut memoratae quaestiones aliquantulum immutarentur, quo eiusdem Codicis praescriptionibus plenius responderent, atque omnimode cohaerent.

Itaque, *de mandato SS^{mi} D. N. Pii PP. XI*, nova haec quaestionum series ad normam cc. 300 et 340 § a Codicis I. C. ab universis Episcopis, Vicariis Praefectisque Apostolicis ac Missionum Superioribus subiectis huic S. C. de Propaganda Fide in posterum prae oculis habenda erit in relationibus conficiendis.

Ad SS. Liminum visitationem autem quod attinet servantur cc. 299 et 341.

ANIMADVERTENDA

I. Relatio latina lingua, nitidis characteribus, in charta non translucida conscribenda erit et ab ipso Ordinario et ab uno saltem ex canonicis vel consultoribus (*in dioecesis*) aut ex consiliariis Missionis subsignanda, adiectis die, mense et anno quibus data fuerit.

II. In prima relatione, post acceptam praesentem epistolam danda, ad singulas quaestiones, quae infra ponuntur, accurate ac plene responderi debet.

III. Idem faciendum erit ab omni novo Missionis Superiore, prima vice qua relationem quinquennalem exhibere debebit.

IV. In relationibus quae primam sequuntur, Ordinarii omittere poterunt ea omnia, quae partem historicam ceterasque generales notitias Missionis respiciunt, si immutata permanserint.

CAPUT I

GENERALES NOTITIAE MISSIONIS

1. a) Breve *compendium historicum* circa originem, progressus ac mutationes dioecesis, vicariatus sive praefecturae aut Missionis faciendum erit. Brevissima quoque adumbratio fiat de historia religiosa Missionis, de persecutionibus praesertim, ac de illustrioribus martyribus.

b) Describenda *superficies, confinia* quibus continetur territorium Missionis. Insuper charta geographica Missionis, si fieri potest, addatur.

c) Brevis notitia detur de *natura loci caelique temperie*, ac de fertilitate terrae, de ratione et mediis itinerum. Quinam morbi in ea forte praevaleant, et quibus cautelis vitari possint.

2. a) De *divisionibus civilibus territorii*, de principalioribus civitatibus, de reipublicae seu Gubernii civilis forma.

b) De *incolarum propriis moribus*, indole, origine; de praecipuis commerciis, et industriis regionis ac de varietate stirpium, linguarum ac religionum.

c) Quinam *incolarum numerus*: quot inter incolas sint *catholici*; si autem varii adsint ritus, quot catholici in singulis; et inter non catholicos quot ethnici, mahumetani, hebraei, haeretici, etc.

CAPUT II

DE CONSTITUTIONE MISSIONIS EIUSQUE DIVISIONE ECCLESIASTICA

3. Quinam *locus residentiae Ordinarii* cum omnibus indicationibus ad epistolas inscribendas necessariis.

4. In quot *christianitates* vel *sectiones* seu *districtus* aliasque circumscriptiones Missio divisa sit, et an ibi sacerdotum residentiae sint stabiles, et an facilis sit ad eas accessus.

5. a) An et quot adsint in dioecesibus *paroeciae* vel in aliis Missionibus *quasi-paroeciae* cum propria ecclesia, territorio determinato et peculiari rectore.—An erectio paroeciarum et quasi-paroeciarum facta fuerit per decretum asservatum in archivo Missionis. An observentur instructiones huius S. C. diei 25 iulii a. 1920 et diei 9 dec. a. 1920 (cfr. *Acta Apostolicae Sedis*, a. 1920, pag. 331 et a. 1921, pag. 17), circa erectionem paroeciarum vel quasi-paroeciarum.

b) An parochi, vel quasi-parochi (c. 451 § 2) applicent Missam pro populo (c. 466), tributum solvant pro Seminario (c. 1356 § 1), suas obligationes servant (cc. 451-470), et libero exercitio in cura animarum gaudeant, iuxta c. 415.

6. An habeantur *vicarii foranei* (cc. 217, 445 seq.) et Missionis districtus ita ordinati sint, ut plures uni sacerdoti tamquam Superiori subsint.

7. a) An spes affulgeat Missionem in plures dioeceses vel vicariatus seu praefecturas in posterum dividendi, et quomodo hanc divisionem Ordinarius praeparet, instituendo in unaquaque parte illa opera, quibus opus est ut Missio independens haberi possit.

b) An et quanam *pars* Missionis adsit quae *nunquam fuerit evangelizata*; an et quomodo provideri possit eius evangelizationi.

8. Utrum in singulis districtibus, paroeciis vel quasi-paroeciis diligenter

serventur *libri* baptizatorum, confirmatorum, matrimoniorum et defunctorum, nec non status animarum, ad normam c. 470.

9. An quae in cc. 375 et seqq. de *archivo dioecesano* habentur, habita ratione locorum et personarum, in Missione constituta sint ad normam c. 304 § 1.

10. Exponatur insuper an habeatur *directorium* seu collectio regularum et consuetudinem Missionis circa ea, quae a sacerdotibus tum in sua vitae ratione tum in fidelium regimine sint servanda; illudque S. C. exhibeatur.

11. Dicatur utrum adsit *catechismus*, an sit communis cum aliis Missionibus eiusdem regionis, et an in variis libris huius generis servetur uniformitas circa doctrinae expositionem; ac eius exemplar ad hanc S. C. mittatur.

CAPUT III

DE ORDINARIO EIUSQUE PRAECIPUIS COOPERATORIBUS IN REGIMINE MISSIONIS

12. a) Indicet *Ordinarius* nomen et cognomen suum, aetatem, originis locum et Institutum religiosum si ad aliquod pertineat, et quaenam indulta et facultates a S. Sede receperit.

b) In dioecesibus dicat *Ordinarius*, an sedes metropolitana sit, an et quas habeat suffraganeas sedes; et quem *Ordinarius* appellationis iuxta c. 1594 § 2 *Metropolita*, probante Sede Apostolica, sibi elegerit; si vero suffraganea, quem *Metropolitam* habeat; si denique nulli *Metropolitae* suffragetur, quem *Metropolitam* pro concilio provinciali et pro iudicio appellationis sibi constituerit iuxta cc. 285, 292 et 1594 § 3.

c) An *Episcopus auxiliarium* vel *coadiutorem* cum futura successione habeat; et indicet eius aetatem, locum originis, Institutum religiosum si alicui pertineat.

d) Dicat an secundum praescriptum c. 309 constituerit suum *Pro-Vicarium* vel *Pro-Praefectum*, et indicet eius nomen, aetatem, nationem, Institutum religiosum si alicui forte pertineat; atque de eius qualitatibus et opere adumbratio aliqua fiat.

e) In dioecesibus vero, exponatur quaenam vigeat ratio providendi, Sede episcopali vacante, dioecesis regimini (cc. 429-443).

f) Utrum constituerit unum *Vicarium generalem* (in dioecesibus) vel *Vicarium delegatum* (in aliis Missionibus), et si plures ob quam rationem (c. 366, § 3); ac similiter referat de eorum aetate, natione, an ad aliquod Institutum religiosum pertineant, de eorum qualitate et opere brevis notitia detur.

13. a) In dioecesibus utrum adsint capitulum cathedrale et alia capitula insignia an *communiae* cleri ad modum capitulorum; et quae eorum praecipua statuta; utrum *Episcopus* nominet consultores dioecesanos (c. 423), et quis eorum numerus.

b) In aliis Missionibus vero utrum adsit *Consilium Missionis* ad normam c. 302, quot in eo exteri et quot indigenae sacerdotes habeantur; quae eiusdem Consilii attributiones.

14. a) An *Ordinarius* in regione sibi commissa commoretur et observantiam legum ecclesiasticarum urgeat (c. 386); an et quando *Missionem*

visitaverit iuxta c. 301; an praeter loca, res, libros et archiva, personaliter quoque clericos examinaverit, eos singillatim audiendo ut cognosceret quae sit uniuscuiusque vitae ratio, quae sit confessionis sacramentalis frequentia et alia huiusmodi; an in visitatione inspexerit quoque quae referuntur ad pia legata adimplenda et an circa Missarum manualium satisfactionem ac stipem omnia constituerit ad normam cc. 824-844.

b) An visitationem SS. Liminum suo tempore personaliter vel per procuratorem perfecerit.

15. An praecipuos presbyteros indigenas et externos *congreget* semel saltem in anno ut possit ex singulorum experientia et consilio deducere, quae sint perfectius in Missione ordinanda (c. 303).

16. a) Utrum et quomodo *synodum* celebraverit, et quando novissima synodus congregata fuerit (c. 304 § 2).

b) An aliquando consilium ineat cum Ordinariis vicinioribus vel eiusdem regionis in maioribus negotiis pertractandis.

c) Quando Missionum *concilium nationale vel regionale* celebratum fuerit, et an opportunum sit illud iterum convocari (c. 304, 2).

17. a) Quae mutua relatio intercedat inter Ordinarium et Superiores Religiosos (cc. 296 § 2-298) et an cum Superiore locali religioso eiusdem Instituti cui pertinet, Ordinarius concorditer vivat.

b) Utrum missionarii Episcopo, Vicario vel Praefecto Apostolico aut Missionis Superiori etiam ut religiosi subsint; vel alteri Religioso Superiori sint subiecti, et saltem an sint Ordinario subiecti ad normam cc. 295, 296, 297, 630, 631.

c) An ipse Ordinarius, prout de iure, officia et residentias missionariis assignet (c. 296 § 1 coll. can. 454 § 5).

d) An in removendo aliquo missionario etiam religioso, praescriptiones c. 307 observentur.

18. Quomodo se habeat Ordinarius *cum civili loci auctoritate*; an eius dignitas et iurisdictio sarta tectaque ita semper servari potuerit, ut nunquam detrimentum libertati et immunitati Ecclesiae obveniret.

CAPUT IV

DE ADIUTORIBUS SACRI MINISTERII

§ 1.—*De sacerdotibus in genere*

19. a) Numerus, nomina et praecipuae notae singulorum sacerdotum exterorum et indigenarum dentur. De iis qui zelo, pietate, scientia et disciplina eminent, specialiter, indicato quoque nomine, dicatur.

b) Quam *idoneitatem* ad sacra ministeria atque ecclesiastica officia et quam vivendi rationem clerici praeseferant. An obligationes clericorum, de quibus in cc. 124-144, ipsi adimpleant.

20. a) Utrum ipsis occasio detur saltem semel in mense ad Sacramentum confessionis accedendi aliosque presbyteros invisendi et mutuo adiumento fruendi.

b) An omnes sacerdotes iuxta praescripta cc. 126 et 595 § 1, n. 1 exercitia spiritualia peragant.

c) Utrum ecclesiastici viri, sive saeculares sive regulares, *clericali*

habitu aut religioso utantur, an saltem ea veste quae eorum statum minime dedecet (c. 136); et in modo sese gerendi an admittant quae decus sacerdotale laedant (c. 138).

d) Si in Missione ecclesiastici viri habeantur qui aliqua dignitate a S. Sede decorati sint, tituli quibus singuli exornati sint atque concessionis dies, officium et gradus quibus gaudeant in clero Missionis, aliaque notitiae opportuna significantur.

21. a) Utrum omnes sacerdotes *studio doctrinae moralis* incumbant, et utrum ad hoc studium fovendum habeantur conventus pro casuum moralium examine conficiendo (cc. 131, 448).

b) An *in usu facultatum* quas accipiunt nimis latas interpretationes ac improbandam facilitatem sequantur.

22. An *praedicationi verbi Dei* (cc. 1337 seq., 1347) etiam inter paganos assidue incumbant; an sint aliqui ex missionariis huic operi exclusive addicti; vel hoc ministerium catechistis remittant, de suis fidelibus tantum solliciti. Quae media adhibeantur ut verbum Dei etiam in magnis urbibus, optimatibus et doctis paganis annuntietur iuxta instructiones huius S. C. diei 18 octob. a. 1883 et diei 19 martii a. 1893 (cfr. *Collectanea S. C. de Prop. Fide*, vol. II, p. 187, n. 1606, et pag. 286, n. 1828).

23. Num *negligentia vel otiositas* aliquem ecclesiasticum in suo munere obeundo detineat; num *inobedientiae vel avaritiae vel incontinentiae* speciem quis in sua vita praeseferat.

24. An sacerdotes miti ratione *erga christianos* se gerant, an circa modum sacri ministerii exercendi uniformitatem curent.

25. a) An charitas et concordia inter ecclesiasticos regulares et saeculares, externos et indigenas foveatur.

b) an et quot sacerdotes sive exteri sive indigenae titulum Missionarii Apostolici ab hac S. C. Prop. Fidei receperint.

26. An a rerum politicarum studio et a negotiis saecularibus se abstineant (cfr. c. 139 §§ 3, 4; Instructiones huius S. C. Propag. Fidei a. 1659, ut in *Collectanea*, vol. I, pag. 42 n. 135; et diei 6 ianuarii, a. 1920).

27. An et qualia vulgentur in Missione *diaria catholica*, an recte dirigantur, an sacerdotes operam suam ipsis praebeant, et in casu affirmativo, an ad normam can. 1386.

§ 2.—De Missionariis exteris

28. Exponatur imprimis an *sacerdotes exteri*, quibus sacrum ministerium exercendum in Missione concreditum est, sint saeculares vel regulares, et cuius Instituti; utrum et quot fratres laicos addictos habeant. An sufficiens eorum *numerus* sit pro necessitate Missionis.

29. An singuli missionarii exteri *studio linguae vernaculae* istius gentis sedulam dent operam et an eam ad praedicandum verbum Dei inter indigenas et in audiendis confessionibus indigenarum semper ac recte adhibeant (cfr. Instructionem citatam diei 18 octob. a. 1883).

30. a) An missionarii *bona immobilia possideant; an industriam vel commercium* exerceant (c. 142).

b) An Religiosi missionarii fidelibus et infidelibus exemplo sint

regulari observantia praesertim trium votorum paupertatis, castitatis et obedientiae.

31. An in aedificandis et ornandis sacris aedibus et residentiis missionariorum peregrinae tantum artis forma adhibeatur, vel, quantum possibile est, nativae etiam ipsius gentis artis species, pro opportunitate, servetur.

32. De qualitate et opere *praecipuorum missionariorum* qui inter alios excellunt referatur; atque de singulis edicatur: locus originis, aetas, et quot iam ab annis in missione versentur.

§ 3.—De Clero indigena

33. a) Singulariter sermo instituendus de *clero indigena*, ac imprimis de *idoneitate* sacerdotum, deque animi qualitatibus quibus praediti appareant.

b) Utrum aliqua distinctio habeatur inter clerum indigenam et sacerdotes externos, quibus in rebus et quam ob rationem. *Quibus in officiis* indigenae sacerdotes adhibeantur an ab aliquibus officiis ipsi arceantur.

c) Utrum et quot indigenae inter sacerdotes religiosos vel inter fratres laicos inveniantur.

34. Utrum sacerdotes indigenae *in familia* cum parentibus cohabitent, vel communem vitam cum missionariis agant. (Cfr. Instruct. cit. 18 octob. a. 1883).

35. An clerus indigena habeat *quo honeste vivere possit*. An pro senibus et infirmis domus aut saltem subsidia adsint, quibus adiuvari possint.

§ 4.—De Institutis religiosis et de aliis personis quae in Missionem adlaborant.

36. a) An et quae instituta religiosa utriusque sexus adsint, *quot domus*, et quot in eis indigenae et exteri. An Ordinarius sive per se sive per alium *quinquennalem visitationem* domorum religiosarum utriusque sexus peregerit, iuxta cc. 296 § 1, 512, 513, et quae de iis magis notatu digna videantur.

b) Utrum Religiosi utriusque sexus vitam communem ducant.

c) in Instituta religiosa bona possideant, nomine proprio, in *Missione*.

37. Quanam eorum pro *Missione utilitas*; quae opera dirigant et quo successu; an indigenarum et pauperum curae atque institutioni praecipue attendant; idque exprimatur sive quoad Instituta virorum sive quoad Instituta mulierum.

38. Si *pro indigenis* habeantur Instituta religiosa dioecesani iuris vel societates sive virorum sive mulierum in communi sine votis viventium, eorum nomen Ordinarius dicat, nec non finem, sodalium numerum, utilitatem; an emittant vota temporaria vel perpetua; et alia huiusmodi.

39. De *Religiosis mulieribus* Ordinarius referat:

a) an observentur canonicae leges circa admissionem ad novitiatum, professionem, clausuram, confessarios ac bonorum temporalium administrationem iuxta cc. 512, 513, 520-527, 533-535, 547, 549, 550, 552, 600-605.

b) an sint quae infirmis in privatis domibus adsistant, aut rem domesticam in nosocomiis, Seminariis, vel similibus virorum domibus gerant; an cautum sit de vitandis periculis, et an aliquid habeatur reprehendendum.

40. Utrum *Virgines indigenae* extra claustra viventes habeantur, et quae earum vita et opera.

41. Quot *catechistae et magistri* scholarum utriusque sexus habeantur; an et quot viri et quot mulieres pueris moribundis baptismi collationi sint addicti; quomodo eorum honestae sustentationi provideatur.

CAPUT V

DE SEMINARIIS

42. An Seminarium adsit, et in casu affirmativo referatur enucleate:

a) de *numero et statu* eorum qui externam disciplinam regunt, qui spiritualiter alumnos dirigunt, qui docent (cc. 1358, 1361);

b) de statu aedium; de *reditibus et oneribus*, hoc est de statu activo et passivo pii Instituti; et an habeatur ecclesiasticum tributum pro Seminario (c. 1356);

c) de iis quae videantur necessaria ad meliorem Seminarii statum.

43. An Collegium praeparatorium ad Seminarium habeatur; an distinctum sit Seminarium in *maius et minus* (c. 1354 § 2); et quot alumni in singulis. An Missionis conditio exigit ut dumtaxat Seminarium minus constituatur et *Seminarium maius regionale* erigatur (c. 1354 § 3; cfr. Instruct. cit. diei 18 octob. a. 1883).

44. a) An observentur cc. 1363, 1371 circa alumnos *admittendos* vel *excludendos*. An servetur c. 1357 circa *visitationem alumnorum* et regulas internas.

b) Quibus studiis ad normam cc. 1364-1366 clerici incumbant et praesertim an linguam latinam et patriam alumni accurate addiscant. An in pietate clerici se exerceant ut in c. 1367 praescribitur, et an spiritu ecclesiastico imbuantur urbanitatisque legibus excolantur. (c. 1369).

45. a) Si Missio Seminario careat, quomodo consulatur pro comparandis sacerdotibus Missioni necessariis.

b) An *studium habeatur seligendi bonae spei iuvenes* ad clerum indigenam creandum; ubinam et quo fructu educantur (c. 305).

46. An Ordinarius curet ut aliquis alumnus pietate et ingenio praestans peculiaria collegia, *praesertim* quae *Romae* sunt, adeat ut ibidem in studiis perficiatur (c. 1380).

47. An ante ordinationem clerici ad *aliquod ministerium per aliquod tempus exercendum* apud presbyteros idoneos mittantur, *probationis causa*; et quibus sub cautelis, ne vocatio clericorum detrimentum aliquod patiatur.

CAPUT VI

DE GENTIUM CONVERSIONE, ET DE CATECHUMENIS

48. Quomodo procedatur ad *propagandam* fidem inter ethnicos, in illis praesertim regionibus ubi christiani nondum habentur vel pauci tantum; et an opera tantum catechistarum vel etiam sacerdotum exterorum et

indigenarum adhibeatur (cfr. Instruct. S. C. de Prop. Fide diei 8 septembris a. 1869, in *Collectanea*, vol. II, p. 21, n. 1346).

49. a) Utrum adsint *hospitia pro catechumenis* utriusque sexus, et quomodo ordinata sint. An omnes indiscriminatim qui petunt, statim ad catechumenatus hospitia mittantur, vel solum post congruum tempus probationis. Quanto tempore duret haec probatio.

b) An pecunia vel alia beneficia materialia praebeantur infidelibus fidei ignaris, ut ad catechumenatum trahantur; vel solus finis catechumenatus sit praeparatio proxima ad baptismum pro illis qui iam dispositi sunt et veritates principaliores religionis iam cognoscunt. Quam vigilantiam directe Ordinarius habeat hac in re.

c) Quanto tempore instructio catechumenorum duret, an sit sufficiens. An post baptismum neophytorum, instructio et educatio christiana perduret aliquibus mensibus (cfr. Instruct. cit. diei 18 octob. a. 1883).

d) An curet Ordinarius ut neophyti ad aliquam stationem vel christianitatem, post baptismum, adscribantur.

CAPUT VII

DE QUIBUSDAM PIIS INSTITUTIS DIFFUNDENDAE FIDEI UTILIBUS

50. Utrum erectum sit aliquod *nosocomium*, an dispensaria medicamentorum habeantur, et quomodo administrentur redditus pro infirmorum sustentatione.

51. a) An et quot adsint *orphanotrophia* pro pueris et puellis, et quibus subsidiis sustentur.

b) An et quatenus *opificia* habeantur ubi pueri et puellae aliquam artem addiscant.

52. a) Utrum et quae alia *instituta charitatis* habeantur: ut hospitia leprosororum, brephotrophia, gherontocomia et alia huiusmodi.

b) An *officinae typographicae* habeantur, quo facilius libri sacri vel scholares in bonum religionis evulgentur (cc. 1381, seq.).

c) Quae aliae fabricae in bonum Missionis institutae sint.

53. a) An adsint, praesertim in magnis civitatibus, inter catholicos, *uniones* illae quae *sociales* vocantur; an circuli pro iuventute etc.; an aggregationes operariorum, agricolarum etc. in aliquem charitatis finem vel mutuum subsidium; an directioni et moderationi Ordinarii et Apostolicae Sedis dociles subsint; quatenus inde promanent beneficia moralia et temporalia.

b) An cura geratur ut qui huiusmodi associationibus adscripti sunt, in fidei doctrina instituantur et christianam vitam ducant.

CAPUT VIII

DE EDUCATIONE IUVENTUTIS IN SCHOLIS

54. a) Circa scholas pro indigenis, sive pueris sive puellis, enucleate referatur tum de earum *numero*, tum de earum *gradu* et *distributione* in variis Missionis locis; scilicet an in praecipuis christianitatibus habeantur saltem scholae ad catechesim et preces addiscendas; utrum in singulis districtibus vel sectionibus scholae sive *inferiores* sive superiores

ad litteras et reliquas scholares disciplinas addiscendas exstent; an aliquod aliud superioris instructionis Institutum adsit, et quonam in loco. An scholae sufficiant liberis fidelium (c. 1379), et an in ipsis christianae institutioni iuventutis apte provideatur. Numerus autem sive singularum scholarum sive alumnorum dicatur.

b) Quomodo deficientiae scholarum superiorum consuli in posterum possit.

c) Quibus credita sit iuventutis institutio, quot sint magistri catholici et quot acatholici vel infideles; quomodo sustententur. An habeatur schola normalis pro magistrorum formatione vel quomodo eius deficientiae provideatur.

55. a) An in ipsas admittantur *etiam filii acatholicorum* sive infidelium sive haeticorum; et quibus cautelis ne fidei catholicorum nocere possint; quinam ipsorum numerus respectu catholicorum; quomodo instructioni religiosae catholicorum provideatur (c. 1373); et num minister acatholicus pro instructione religiosa acatholicorum admittatur.

b) An in memoratis scholis servetur omnimoda *separatio puerorum a puellis*.

56. An adsint in dioecesi, vicariatu vel praefectura seu Missione *scholae ministrorum protestantium* vel *scholae paganae*; quinam earum numerus et gradus; an et quot adsint *scholae neutrae* ab auctoritate civili constitutae; utrum catholici eas frequentent, an iusta ratione, et quomodo eorum instructioni religiosae provisum sit; et quaenam cautela ad periculum perversionis a pueris catholicis arcendum adhibeantur, iuxta c. 1374.

CAPUT IX

DE EDUCATIONE IUVENTUTIS IN COLLEGIIS

57. a) An et quot adsint *convictus seu collegia*, sive pro masculis sive pro foeminis; cui eorum directio concredita sit; utrum pro solis catholicis an in ipsa admittantur infideles vel haetici et quibus cautelis; quinam ipsorum numerus respectu catholicorum, quomodo provideatur educationi religiosae catholicorum; an aliqua institutio religiosa detur acatholicis et infidelibus, et quo fructu; num admittantur ministri cultus acatholici, vel adolescentes ad eorum templa adducantur.

b) Quinam fructus pro religione habeatur ex istis *collegiis mixtis*; an potius aliquod ex his periculum pro fide habeatur vel imminet.

c) An collegium pro catechistis efformandis habeatur.

CAPUT X

DE POPULO FIDELI

58. Si laici ad Aulam Pontificiam pertinentes habeantur, nomen et titulus honoris in aula Pontificia obtentus, dies concessionis aliaeque notitiae dentur.

59. Dicatur: a) quot sint numero catholici, et quinam sint generatim *fidelium mores*; quaenam ratio vitae christianae privata in familiis; quaenam publica in oppidis et civitatibus; an in externis pompis et solemnitatibus magis consistat, quam in vero pietatis spiritu.

b) An massonicae sectae addicti, vel etiam massonismi vel socialismi societates habeantur, quot numero, quanti momenti; et quid fiat ad occurrendum huic malo.

c) Utrum in exercitio iurium politicorum et civilium fideles catholici religionis bono et Ecclesiae libertati pro viribus consulant.

60. Quomodo generatim parentes et qui loco parentum sunt *prolis educationi* religiosae prospiciant (cc. 1113, 1372).

61. Num fideles cum paganis vel haereticis ita versentur, ut spirituale ipsis damnum vel religioni detrimentum obveniat.

CAPUT XI

DE SACRAMENTORUM ADMINISTRATIONE

62. Exprimatur an in administrando *baptismo* serventur omnia praecepta Ritualis Romani et Codicis i. c. (praesertim cc. 740-744, 765-769). Speciatim vero, an fiat aliqua divisio caeremoniarum et quo idiomate interrogationes fiant (cc. 755-761).

63. An sacerdotes antequam baptismum adultis conferant, de statu libero eorum vel legitimo matrimonio diligenter inquirant et quae sint inquirendi normae.

64. An curent presbyteri ut ad sacramentum *confirmationis* fideles opportuno tempore accedant, et in periculo mortis infantes illud recipiant (cc. 785, 787 seq.).

65. An et qui sint in *Missione casus reservati*, utrum in reservatione modus et normae praescriptae cc. 895, 897, 898 observentur, et utrum fidelibus sufficienter innotescant (c. 899).

66. a) Utrum fideles solemni praeparatione et pompa ad *primam Communionem* admitti soleant, an excitentur ut et etiam quotidie, ubi sacerdos adest, pane eucharistico reficiantur (c. 863).

b) An fideles *praeceptum paschale* (c. 859) adimpleant.

67. An presbyteri diligentes se praebeant in reficiendis moribundis extrema unctione aliisque Sacramentis.

68. An in dioecesi, vicariatu vel praefectura aut *Missione forma celebrationis matrimonii* ad normam c. 1094 observetur. Et an antea praemittantur, quae in iure praescripta sunt (c. 1019 et seq.).

69. a) Quomodo se gerant sacerdotes in *dispensationibus* circa matrimonii impedimenta, et an curent observantiam instructionum huius S. C. circa aetatem praescriptam.

b) An dispensationes matrimoniales gratis concedantur (c. 1056), et in scriptis, et utrum exprimatur delegatio Apostolica (c. 1057).

70. An abusus *matrimoniorum mixtorum* invaluerit, et qua frequentia et quomodo circa ea presbyteri se gerant (cc. 1060, 1064, 1065, 1071).

71. An in celebratione matrimoniorum christiani immisceant aliquas caeremonias superstitiosas.

CAPUT XII

DE REBUS AD DIVINUM CULTUM SPECTANTIBUS

72. a) An in sacris functionibus ac praesertim in administratione Sacramentorum, et in solemni Missae celebratione *ritus omnes S. R. E.*

fideliter servantur (cc. 733, 1261); utrum *cantus adhibeantur*, et an iuxta canonicas praescriptiones (c. 1264).

b) An ingressus in ecclesiam sit, prout debet, semper gratuitus (c. 1181).

c) Utrum et quoniam *populares cantus* in ecclesiis permittantur.

73. An servetur, quoad asservationem Ss. Eucharistiae, can. 1265; an caveatur quodcumque periculum irreverentiae; an ea asservatio fiat cum debita decentia et quoniam sit in tantum Sacramentum fidelium devotio.

74. a) Utrum ad maiorem divini cultus decorem et ad pia opera exercenda, canonice instituti sint *Tertii Ordines* saeculares, *Confraternitates*, sive virorum sive mulierum, praesertim SS. Sacramenti et Christianae Doctrinae (c. 711 § 2), aliaeque *piae Uniones* potissimum pro iuvenibus; quo numero et quo religionis profectu.

b) An hae associationes servant praescripta c. 690 de subiectione erga Ordinarium, et c. 691 de administrationis modo.

75. An in *cultu divino ac veneratione Sanctorum* aliquae superstitiones irreperint et quae.

CAPUT XIII

DE FESTIS, IEIUNIIS ET ABSTINENTIIS

76. a) Quoniam *festa* de praecepto in Missione observentur et an peculiares difficultates habeantur ad alia introducenda quae in Codice praescripta sunt (c. 1247).

b) Quae apud fideles sit observantia festorum.

77. a) Quae *ieiunia*, quique *abstinentiae dies* servantur; an uniformitas habeatur respectu viciniorum Missionum et utrum introductioni legis communis (c. 1250 et seq.) obstet potius necessitas indigenarum quam Europaeorum, et quae sit ista necessitas.

b) Quae apud fideles sit observantia legis abstinentiae et ieiunii.

CAPUT XIV

DE ECCLESIIS, SACELLIS ET PRESBYTERIIS

78. Exprimatur an sit in Missione *numerus* sufficiens *ecclesiarum* et *sacellorum*; quot ea sint, et utrum munda, decentia et saltem necessariis ad divinum cultum ornamentis instructa sint.

79. An ecclesiae rite custodiantur ne furtis et profanationibus obnoxiae fiant; et eae in quibus SS. *Eucharistia* adservatur, quotidie, si fieri potest, per aliquot horas fidelibus pateant (c. 1266); quomodo observentur cc. 1267-1271 circa *custodiam SSmi Sacramenti*.

80. An catholicus cultus *libere* exerceatur; et quatenus negative, an ratio suppetat qua obstacula e medio auferantur.

81. An iuxta ecclesias, cappellas et oratoria adsit *residentia* pro sacerdote vel etiam decens presbyterium; ut saltem aliquis locus ubi sacerdos convenienter manere possit. Num sacerdos necessitate compellatur cibum et somnum capere in domnibus christianorum, et an in hoc abusus habeatur.

CAPUT XV

DE COEMETERIIS ET SEPULTURIS

82. a) Utrum et quae *superstitiones in funeribus* apud christianos invaluerint.

b) An et quae *taxae in funeribus* exigantur.

83. An existant *coemeteria separata* pro christianis, clausa et benedicta; et an canonicae de his *leges servari possint et servantur* (c. 1205 et seq.). Si non habeantur, ad id obtinendum quid tentari possit.

CAPUT XVI

DE BONIS ECCLESIAE EORUMQUE ADMINISTRATIONE

84. An et quibus *limitationibus iuxta leges civiles* Missio bona, sive mobilia sive immobilia, possit proprio nomine possidere; et quae *cautelae adhibeantur* ut securitati ecclesiasticorum bonorum provideatur.

85. An institutum sit *Consilium Administrationis* et quot presbyteris exteris et indigenis constet; et an Ordinarius in negotiis maioris momenti illos audiat (c. 1520).

86. a) An *administratores particulares* sive ecclesiastici sive laici reddant quotannis Ordinario rationem suae administrationis (c. 1525) et servant iuris praescripta circa modum ipsius administrationis (cc. 1523, 1526, 1527, 1544, 1516, 1530-1533, 1538-1542).

b) An circa *oblaciones* in commodum Missionis servantur praescripta cc. 1182, 533 § 1, 4^o, 630 § 4, 631 § 3, et 535 de earum administratione et ratione Ordinario reddenda; et an collectores se abstineant a vexatoria et odiosa requisitione.

c) An *inventaria* immobilium, mobilium et sacrae suppellectilis uniuscuiusque ecclesiae vel pii loci confecta in duplici exemplari, altero proprio opere, altero pro Curia Ordinarii, habeantur (cc. 1296, 1300-1302, 1522).

87. a) Utrum bona immobilia vel redditus in promptu Missio habeat ut sustentationi missionariorum, cleri indigenae et expensis pro divino cultu satisfaciat.

b) Si bona immobilia non habeantur, an spes adsit ut pedetentim certi redditus sive per oblaciones fidelium sive alio modo constitui possint (cfr. Instr. S. C. de Prop. F., 19 martii a. 1893, ut in *Collectanea* v. II p. 286 n. 1828, II).

c) Breviter prospectus accepti et expensi detur ut in appendice cap. XVI.

88. a) Circa *Missarum stipem*, quae taxa synodalis in Missione vigeat (c. 831). An sacerdotes Missas colligant, quibus intra annum ipsi satisfacere nequeant (c. 835); an exuberantes ad Ordinarium transmittant (c. 841).

b) Quomodo servantur quae cc. 843, 844 praescripta sunt de libro tam personali, quam ecclesiarum proprio, pro Missis adnotandis.

CAPUT XVII

IUDICIUM SUMMATIM EXPOSITUM CIRCA STATUM MISSIONIS

89. Ordinarius, omnibus in universum complexis, dicat, praesertim *in sua prima relatione*, quid actu sentiat de materiali ac morali conditione Missionis, quae spes melioris status affulgeat, quatenus maiora discrimina immineant.

90. *In sequentibus vero relationibus* addat, quomodo et quo fructu ad effectum perduxerit monita et mandata, si quae S. C. in sua responsione ad praecedentem relationem dederit; et utrum progressus, regressus, an potius idem ferme persistens status in rebus fidei et morum haberi videatur in Missione, et quatenus harum rerum censeantur causae, quatenus proponantur remedia.

Datum Romae, ex aedibus Sacri Consilii Propagandae Fidei, die Paschae Resurrectionis, a. 1922.

G. M. CARD. VAN ROSSUM, *Praefectus*.

✠ PETRUS FUMASONI BIONDI, Archiep. Diocletan, *Secretarius*.

APPENDIX

COMPENDIUM NOTIONUM CIRCA STATUM MISSIONUM

I

GENERALES NOTITIAE MISSIONIS

Superficies km. quadratis enuntiata : N.....

Limites, quas regiones vel provincias vel praefecturas civiles Missio comprehendat....

Residentia pro Superiore Missionis, quae sit....Detur accurata et completa inscriptio adhibenda in epistolis....

Incolae { quot catholici indigenae : N..... catholici exteri : N.....
 quot haeretici vel schismatici : N.....
 quot ethnici : N.....mahumetani : N.....hebraei : N.....

II

DE CONSTITUTIONE MISSIONIS EIUSQUE DIVISIONE ECCLESIASTICA

Quot *christianitates* vel missiones (idest cumulationes familiarum christianarum) : N.....

Quot diversarum christianitatum consociationes vel districtus, vel sectiones : N.....

Quot paroeeciae vel *quasi-paroeeciae* canonice erectae : N..... quot collectiones quasi-paroeeciarum : N.....

An et quot *Vicarii Foranei* adsint : N.....

III

DE ORDINARIO EIUSQUE COOPERATORIBUS IN REGIMINE MISSIONIS

Ordinarii Missionis....nomen....natio....aetas....

Coadiutores cum futura successione, vel *Episcopi Auxiliarii*....nomen....natio....aetas....

Pro-Vicarii....vel *Pro-Praefecti*....nomen....natio....aetas....

Vicarii generalis (vel *Vicarii Delegati*)....nomen....natio....aetas....

In dioecesibus quot canonici vel consultores dioecesani, ac inter eos quot
exteri : N..... quot indigenae : N.....

In ⁷*Consilio Missionis*....quot exteri : N.....quot indigenae : N.....

In *Consilio Administrationis*....quot exteri : N..... quot indigenae : N.....

IV

§§ 1-3.—*De Clero*

Nomen Ordinis vel *instituti* cui *Missio* concredita....quot domus : N.....

Sacerdotes religiosi....quot exteri : N.....quot indigenae : N.....

Laici religiosi....quot exteri : N.....quot indigenae : N.....

Sacerdotes saeculares....quot exteri : N.....quot indigenae : N.....

§ 4.—*De Institutis religiosis et de aliis personis quae in Missionem adlaborant.*

An et quae *communita-* { nomen....quot domus : N.....
tes virorum, et sin- { quot sacerdotes exteri : N.....et indigenae : N.....
gularum dicatur { quot laici exteri : N.....et indigenae : N.....

An et quae *communita-* { nomen....quot domus : N.....
tes mulierum, et de { quot alienigenae : N.....quot indigenae : N.....
iis dicatur {

An et quot *Virgines indigenae* extra claustra viventes : N.....

Quot *Catechistae viri* : N.....et quot mulieres : N.....

Quot *Magistri catholici* : N.....et quot acatholici : N.....

Quot *Magistrae catholicae* : N.....et quot acatholicae : N.....

Quot *Baptizantes viri* : N.....et mulieres : N.....

V

DE SEMINARIIS

Seminarii *praeparatorii*....quot alumni : N.....

Seminarii *minoris*....quot alumni : N.....

Seminarii *maioris*....quot auditores philosophiae : N.....quot theologiae :
N.....

An et quot alumni extra *Missionem* instituantur : N.....

VI

DE CATECHUMENATIBUS

Quot *pro viris* : N.....quot mensibus coacti : N.....a quot auditoribus
frequentati : N.....

Quot *pro mulieribus* : N.....quot mensibus : N.....a quot auditoribus
frequentati : N.....

VII

DE QUIBUSDAM INSTITUTIONIBUS DIFFUNDENDAE FIDEI UTILIBUS

Nosocomia pro in-	{	quot domus <i>pro viris</i> : N.....cubilia : N.....
firmis . . .		hospites per annum ; N.....
	{	quot domus <i>pro mulieribus</i> : N.....cubilia : N.....
		hospites per annum : N.....
Orphanotrophia .	{	<i>puerorum</i> ; quot domus : N..... quot alumni : N.....
		<i>puellarum</i> ; quot domus : N..... quot puellae : N.....
Brephotrophia .	{	quot domus : N.....
		quot pueruli nutricibus crediti : N.....
		quot familiarum christianarum curis demandati : N.....
Alia hospitia cari-	{	quot domus <i>pro viris</i> : N..... quot hospites : N.....
tatis . . .		quot domus <i>pro mulieribus</i> : N.....
		quot hospites : N.....
Pharmacopolia quot :		N..... et quot curae ibi confectae : N.....
Typographiae quot :		N..... quot typographi : N.....quot libri editi : N.....
Opificia varia {		quot pro pueris : N.....et pro quot puellis : N.....
		quot pro puellis : N.....et pro quot puellis : N.....

VIII

DE SCHOLIS

§ 1.—*Scholae Missionis*A)—*Pro solis catholicis*

Quot scholae precum pro pueris : N..... quot pro puellis : N..... quot mixti
sexus : N.....in iis quot alumni : N..... quot alumnae : N.....

Quot inferiores pro pueris : N.....quot pro puellis : N.....quot mixti sexus :
N.....in iis quot alumni : N.....quot alumnae : N.....

Quot superiores pro pueris : N.....quot pro puellis : N.....quot mixti sexus :
N.....in iis quot alumni : N.....quot alumnae N.....

Quot professionnelles pro pueris : N..... quot pro puellis : N..... quot mixti
sexus : N..... in iis quot alumni : N..... quot alumnae N.....

B)—*Scholae mixtae pro catholicis et non catholicis*

Quot scholae pro pueris : N..... quot pro puellis : N..... quot mixti sexus : N.....

Catholici : quot alumni : N..... quot alumnae : N.....

Non-catholici : quot alumni : N..... quot alumnae : N.....

§ 2.—*Scholae privatae acatholicorum*

Quot inferiores : N.....frequentatae ab acatholicis : N.....a catholicis N.....

Quot superiores : N.....frequentatae ab acatholicis : N.....a catholicis N.....

Quot professionnelles : N.....frequentatae ab acatholicis : N.....a catholicis N.....

§ 3.—*Scholae publicae*

Quot inferiores : N.....quas adeunt acatholici : N.....catholici : N.....

Quot superiores : N.....quas adeunt acatholici : N.....catholici : N.....

Quot professionnelles : N.....quas adeunt acatholici : N.....catholici : N.....

IX

DE COLLEGIIS

§ 1.—*Collegia Missionis*

- Quot *collegia pro solis catholicis*, sive pueris : N..... sive puellis : N.....
 Quot *mixta* cum non catholicis, sive pro pueris : N..... sive pro puellis : N.....
 Nomen uniuscuiusque ; et quae societas religiosa collegii regimen habeat.
- Quot *alumni catholici* indigenae : N..... ; quot *exteri* : N.....
 „ „ *non catholici* indigenae : N..... ; quot *exteri* : N.....
 „ *alumnae catholicae* indigenae : N..... ; quot *exterae* : N.....
 „ „ *non catholicae* indigenae : N..... ; quot *exterae* : N.....

§ 2.—*Collegia acatholicorum*

- Quot *collegia pro puellis* : N..... quot *alumni acatholici* : quot *catholici* : N.....
 Quot *collegia pro puellis* : N..... quot *alumnae acatholicae* : N.....quot *catholicae* : N.....

X, XI

DE FRUCTIBUS SPIRITUALIBUS

- Christianitates in quibus *missio praedicata* est : N.....
 Quot *aliae praedicationes* fidelibus : N..... quot *infidelibus* : N.....
 Quot *infideles*, haeretici, vel *schismatici conversi* : N.....
 Quot *baptismata adultorum* in periculo mortis : N.....
 Quot *extra periculum mortis* : N.....
 Quot *baptismata infantium* in periculo mortis : N.....
 Quot *baptismata infantium paganorum* in periculo mortis : N.....
 Quot *infantium fidelium* : N.....
 Quot *Confirmationes* : N.....
 Quot *Confessiones* de praecepto : N..... quot *devotionis* : N.....
 Quot *Communiones paschales* : N..... quot *devotionis* : N.....
 Quot *Extremae Unciones* : N.....
 Sacer *Ordo* quot *clericis collatus* : N.....
 Quot *Matrimonia* benedicta inter fideles : N..... quot *mixta* : N.....
 Quot *Defuncti* adulti : N..... quot *pueri* : N.....

XII, XIII

DE FIDELIUM ASSOCIATIONIBUS

- Qui *Tertii Ordines*....et quot in annum inscripti : N.....
 Quae *Confraternitates*....et quot in annum inscripti : N.....
 Quae *Piae Uniones*....et quot in annum adscripti : N.....

XIV

DE SACRIS AEDIFICIIS

- Sanctuaria* quae peregrini adeunt : N.....
Ecclesiae publicae : N.....
Sacella cum residentia pro missionario : N..... absque residentia : N.....

XV

DE COEMETERIIS

An adsint et quot *Coemeteria* clausa et benedicta : N....

XVI

DE BONIS ECCLESIAE

1. Quinam sint *valor fundorum*, *valor capitalium*, et quae *pecunia* aliis credita. Quale, iuxta *taxam synodalem*, stipendium *Missarum*....

2. De ratione accepti.	Reditus	{	bonorum immobilium....
			alicuius industriae (ex concessione)....
2. De ratione accepti.	Subsidia et oblationes	{	pecuniae creditae....
			ex aliis fontibus....
			proprii Instituti religiosi
			ex Pio Opere Propagationis Fidei....
			„ „ „ S. Infantiae aliorumque similium....
3. De ratione expensi.	Impensae	{	collecta ex fidelibus indigenis....
			ex benefactoribus exteris....
			Utrum et quanta pecunia mutuo accepta....
			<i>Ex aliis capitibus</i>
			ad personas Missionis alendas et retribundas....
			pro cultu....
			pro Seminariis....
			pro scholis et collegiis....
			pro catechumenatibus....
			pro aliis institutionibus....
3. De ratione expensi.		{	pro itineribus missionariorum....
			In vectigalibus....
			Pro conservatione immobilium....
			Pro novis aedificiis....
			Sumptus pro foenore aeris alieni....
			Sumptus pro extinguendis debitis....
			Pecunia aliis mutuo data....
3. De ratione expensi.		{	<i>Ex aliis capitibus</i>

INTERPRETATION OF A CERTAIN CANON OF THE CODE BY THE PONTIFICAL COMMISSION

(April 25, 1922)

ACTA OFFICIORUM

PONTIFICIA COMMISSIO

AD CODICIS CANONES AUTHENTICE INTERPRETANDOS

DUBIA CIRCA CANONEM 139

I. An S. R. E. Cardinales, Archiepiscopi, Episcopi sive residentiales, sive titulares, ad normam canonis 139 § 4, munus senatorum aut deputatorum sollicitare vel acceptare possint.

II. An Ordinarii locorum in concedenda licentia sacerdotibus, qui se candidatos ad deputatorum comitia sistere cupiunt, potius difficiles quam faciles se praebere debeant.

Resp.

Ad 1^{um}. Negative et ad mentem. Mens est: Si vi constitutionis civitatis, Cardinales, Archiepiscopi, Episcopi sint de iure senatores, et Sancta Sedes aliquo modo id probaverit, Cardinales, Archiepiscopi, Episcopi possunt sine speciali licentia Sanctae Sedis huiusmodi munus explere, dummodo per Vicarium generalem aliove modo suis obligationibus satisfaciant. In quolibet autem alio casu Cardinales, Archiepiscopi, Episcopi sive residentiales, sive titulares indigent venia Sanctae Sedis.

Ad 2^{um}. Affirmative ad 1^{am} partem, negative ad 2^{am}.

Romae, 25 aprilis 1922.

P. CARD. GASPARRI, *Praeses*.

ALIOSIUS SINCERO, *Secretarius*.

DOUBT REGARDING CERTAIN NEW FORMS OF CHALICE

(June 30, 1922)

DUBIUM

DE NOVIS QUIBUSDAM CALICIS FORMIS

Sacrae Rituum Congregationi propositum est sequens dubium: Utrum liceat, quatuor calices, quorum effigies in ephemeride *Benediktinische Monatschrift* (Bueron, 1920, n. 34) exhibentur, quinque ibidem in textu pag. 168-184 elogiis efferuntur et nominibus "Poculum caeleste—Genimina vitae—Flos de Virgine—Virga Jesse" insigniuntur, in Missae sacrificio adhibere?

Et Sacra eadem Congregatio, audito specialis Commissionis voto, omnibus inspectis ac perpensis, rescribendum censuit: 'Ad Rmum Doñm. Ordinarium loci, qui curet ne calices a formis traditionalibus differant ob periculum effundendi sacras Species et excitandi admirationem.'

Atque ita rescripsit ad declaravit die 30 iunii 1922.

✠ A. CARD. VICO. Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, *Secretarius*.

REVIEWS AND NOTES

BENEDICTIONALE ' SEU RITUS IN EXPOSITIONE ET BENEDICTIONE SS^{MI}
SACRAMENTI SERVANDUS. Cura Rev. J. B. O'Connell, B.A., B.D.
Dublin : The Kenny Press.

THE compiler and publishers of this manual have done a very useful and much-needed work, and are to be congratulated on having done it so well. It will be a decided convenience to the clergy of this country to have the rites and ceremonies of Exposition and Benediction, as well as the prayers for the different devotions occurring throughout the year, gathered thus together in one handy volume, and the general use of the book in our churches and chapels will undoubtedly make for uniformity and correctness in the carrying out of these various devotions. The rubrical directions for Exposition and Benediction given at the beginning of the book, as we should expect from the pen of Father O'Connell, are remarkable for their lucidity, succinctness, and all round accuracy, and he is to be equally congratulated on the judgment displayed in the arrangement of the book and the selection of the devotions, chants, and prayers which one might reasonably look for in such a volume.

It would be too much to expect that the compiler's selection of devotions and prayers would please everybody—men's judgments vary according to their predilections—but, personally, we cannot recall any ordinarily recurring devotion in our churches throughout the year which does not receive in this volume its meed of attention. It contains the Prayers and Hymns for Exposition and Benediction, the Liturgical Litanies (in Latin and English), the Devotion for First Friday, for Pentecost, for the month of October, for the Novenas of Christmas, the Immaculate Conception, the Assumption, St. Patrick, SS. Peter and Paul, and finally, an appendix giving the rite for the Blessing and Sprinkling of Holy Water. Add to this that directions are given for the due performance of each devotion, with a statement of the indulgences attaching to it, and you have a fair idea of the extent and utility of the new *Benedictionale*. Moreover, both externally and internally, the book looks well; it is well printed in red and black on superfine paper, and gracefully bound in cloth (violet or dark green) with silk markers. The price, 14s., though rather dear, is not excessive, when we consider the excellence of the paper and binding, and the varied type that has been used.

Having said so much by way of appreciation, we shall not be misunderstood when we direct attention to a few little things which, after a cursory reading of the volume, we think might be considered in future editions of the book :

(1) The extensive references to, and comments on, Roman decrees are, we think, out of place in such a manual.

(2) In the directions for Benediction we should like to see a note on the ceremony as performed by a Bishop.

(3) The Irish language should not have been ignored in the compilation of such a book. There are several churches up and down the country where the Rosary, Litanies, and very many of the Prayers given in this book are recited in Irish, and the number of such churches will, we have no doubt, be increasing from year to year. A book of this kind should encourage rather than retard the progress of the revival movement.

(4) Some of the Liturgical Prayers, e.g., those of the Immaculate Conception and St. Patrick, with the appropriate Versicles and Responses, might have been given also in Latin. On the occasion of Novenas these Prayers are often sung after a Hymn and before the *Tantum Ergo*.

(5) We should have liked to see the Litany of the Irish Saints given in Irish and Latin as well as in English, and we think the compiler would have been well advised to publish the English version exactly as officially approved by the general body of the Bishops. His version differs both in the spelling and order of the names, e.g., St. Comgall is misplaced, and he gives his own translation of the Prayer. Uniformity would be best secured by adopting the official version approved at Maynooth.

M. E.

EVANGELIORUM SECUNDUM MATTHAEUM, MARCUM ET LUCAM SYNOPSIS
JUXTA VULGATAM EDITIONEM CUM INTRODUCTIONE DE QUESTIONE
SYNOPTICA ET APPENDICE DE HARMONIA QUATUOR EVANGELIORUM.
Auctore A. Camerlynck. Editio tertia, auctor et emendatio.
Brugis apud C. Beyaert. 1921.

THIS third edition of M. Camerlynck's *Synopsis* is distinguished from the preceding editions by the inclusion of the Johannine parallels to the Synoptics. It is also marked by a greater preciseness and clearness in the discussion of the Synoptic problem. The introduction to the Synoptic problem contained in this work is probably (with the exception of Father Lagrange's Introduction to his Commentary on St. Luke) the fullest treatment of the various aspects of that problem which has hitherto been published by any Catholic scholar. The author still defends in this third edition the theory of the mutual interdependence of the synoptics. The oldest Gospel is the Aramaic Gospel of Matthew. The second Gospel is prior to the third and to the Greek Matthew, and has been drawn freely upon by both. The Greek Matthew, which is 'substantially identical' with the Aramaic Matthew, was produced about A.D. 75, and comes, therefore, from a date well within the Apostolic age. In making the Greek version of Matthew the translator made very considerable use of the text of St. Mark; and M. Camerlynck, while insisting on the substantial identity of the Greek with the Aramaic Matthew, is prepared to admit that the translator of the Aramaic Gospel used a certain amount of liberty with his text. This liberty in no way diminishes

the value of the Greek Matthew, since that version was produced before the close of the period of apostolic preaching and writing, and was made 'profecto sub Spiritus Sancti inspiratione.' M. Camerlynck seems to think that the translator may, without interfering with the substance of the first Gospel, have added to it certain elements from the second Gospel, and from other sources. St. Luke is obviously dependent on the second Gospel, and M. Camerlynck believes that dependence of Luke on Matthew can be shown in the sections which are common to Matthew and Luke. It is difficult, however, to ascertain what particular form of Matthew's Gospel was used by Luke. It was not, apparently, our Greek Matthew which Luke used, but either the Aramaic Matthew, or a Greek version of portions of the first Gospel. In addition to the first and second Gospels Luke used other sources. One of these was a document written in Hebrew or Aramaic by a Palestinian Christian—the use of which can be seen in Luke's narrative of the incidents connected with the Divine Infancy. M. Camerlynck writes with great reserve, and without any trace of dogmatism. The *Synopsis* is excellent, and will form a most useful handbook for the study of the Synoptic Gospels. Even though one cannot always agree with M. Camerlynck's arrangement of the Synoptic material, his work is everywhere thoughtful and scientific.

P. B.

PSALMI E TEXTU ORIGINALI CRITICE EMENDATO TRANSLATI IN LINGUAM LATINAM AC SYMMETRICE DISPOSITI, CUM INDICATIONE STRUCTURAE ET ICTUUM, ARGUMENTO SINGULIS CANTICIS PRAEMISSO NOTISQUE CRITICIS IN EXTREMO LIBRO. Auctore Carolo Maria van Sante. Ex typis Henrici Proost, Turnholti (in Belgio). 1921.

THE title of this work indicates well its scope and contents. It is a translation into intelligible Latin of the Hebrew Psalter—not as it appears in the Massoretic Bible, but critically revised and reconstructed by comparison with the ancient versions, and by the use of metrical and other criteria. The translations of the Psalms are so arranged as to indicate clearly the structure of each psalm as the Author understands it, and at the head of each psalm is set a statement of the number of accented syllables, or beats; which occur, according to the Author's reckoning, in the various sections of the psalm.

The Author explains the purpose of his book in a brief and interesting Introduction. He is convinced that every book of the Hebrew (and Aramaic) Old Testament is written according to certain definite principles of symmetry. He speaks of a work which he has ready in manuscript, in which his theory of the symmetrical structure of the Hebrew Bible is fully expounded. This work he has hitherto been unable, on account of financial reasons, to publish. It is to be regretted that he has not made accessible to the public some sort of general outline of his system, for it is difficult to appraise justly this new work on Psalm-structure without knowing such points of the Author's theory as how the syllables of the Hebrew are to be counted, and how the

accented syllables are, in each case, to be determined. In the case of the Psalms we find, according to this work, a twofold symmetry in evidence. There is a *general* symmetry, which means that nearly every psalm is made up of four sections, and that the beats in two of these sections are equal in number to the beats in the other two. This is called by the Author symmetry of equivalence. It is to be found in every psalm which is capable of being divided into four parts. Then there is in each such four-part psalm a *particular* symmetry. This symmetry consists in the manner in which the sections are grouped in twos. The beats, that is, may have to be equalized in the sections, by taking together sections one and four and two and three, or by grouping together sections one and three and equating their beats with those of sections two and four, and so on. The particular grouping required for the equation of the psalm constitutes the *particular* symmetry of the psalm. A small number of psalms have to be arranged so as to show three sections, rather than four. Even in these, however, there is a principle of symmetry in the number of beats in the sections. The symmetry is in this case one of proportion (as, for instance, in Ps. vii. where the three sections have, respectively, 34, 44, and 39 beats—39 standing in the middle between 34 and 44). This theory of symmetry which the Author confidently applies throughout the Psalter, is not claimed by him as an infallible means of emending the Massoretic text, for he says that even the unemended Massoretic Psalter can be shown to exemplify exactly his theory. This admission, it is to be feared, will not encourage scholars to take up this new 'metrical' theory seriously.

The Introduction (or Preface) contains interesting notes on the difficulties of the psalm titles. The views put forward in these notes can be gathered from the Author's translations of the psalm-titles. Thus the title of Ps. vi. is translated *Ad cantum cum fidibus, tono imo, psalmus David*. In Ps. viii. the title appears as, *Ad cantum cum gethaea*; Ps. ix.: *Ad cantum, tono alto cum nablis*; Ps. lvi.: *Ad cantum juxta 'pessumdes'*; Ps. lix.: *Ad cantum, juxta 'lilia sunt praeceptum,' etc.*

The Latin rendering is generally very clear and accurate. It does not indicate in its own accentuation anything of the beats, or accents, of the Hebrew text. As a short specimen of the Author's method, verses 10 and 11 of Ps. lxxv. (Vulgate lxxiv.) may be quoted:

*Visitasti terram et locupletasti eam, multum ditasti eam,
rivo divino pleno aquis parabas frumentum ejus.*

*Nam sic parabas eam: sulcos ejus irrigabas, deprimebas glebas ejus,
imbris demolliebas eam, germinibus ejus benedicebas.*

Many critics will think that the Author would have been more helpful to students of the Psalms if he had translated the Hebrew into his own native Flemish. It is not always possible to extract from the Author's Latin the precise shade of meaning which the Hebrew expresses—though this is never due to any tendency on the part of the translator to avoid coming to terms with the difficulties of the Hebrew. The work is scholarly and stimulating, and deserves to be widely read.

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MEDIÆVAL STORIES FOR PREACHERS

BY REV. M. H. MACINERNY, O.P.

IT is a singular and significant fact that the British Society of Franciscan Studies draws its chief membership and support from cultured Anglican circles, and that its publications, so far as one has seen them, are models of painstaking and broad-minded scholarship. Its first volume, issued in 1908, was the *Liber Exemplorum* of an anonymous Franciscan, who spent much of his life in Ireland. The work was edited with admirable learning and care by Mr. A. G. Little, lecturer on Palæography in Manchester University, who has been a tireless student of Franciscan history for more than thirty years.

In 1920 the Society published its ninth or tenth volume, under the modest title of '*Materials for the History of the Franciscan Province of Ireland, A.D. 1230-1450*, collected and edited by the late Rev. Father E. B. Fitzmaurice, O.F.M., and A. G. Little.' It is but the simple truth to say that this volume is the most scholarly and critical work ever written on the history of the Irish Franciscans; and we earnestly hope that it may be followed by a worthy series of studies on the great Irish Franciscans of the seventeenth century.

Franciscan history has been exceptionally fortunate in the number of brilliant scholars whom it has attracted from within and without the Order.¹ The heroic and romantic figure of St. Francis has appealed, especially in our own time, to literary men of every creed. It is curious, no less than encouraging, to find that Anglican writers are contributing their full share to the rich and rapidly-growing volume of modern Franciscan literature. Mr. A. G. Little

¹ For recent Franciscan literature see A. G. Little's *Guide to Franciscan Studies*, a small volume published by the S.P.C.K.—London, 1920.

is a host in himself. He is unexcelled, in the English-speaking world, as a prolific and erudite writer on Franciscan subjects. Among his fellow-workers in England are such men as C. L. Kingsford, Dr. H. Rashdall, Dr. Montague Rhodes James, Rev. H. M. Bannister, and W. W. Seton.

The committee of the B.S.F.S. in 1908 could pride itself on such names as those of Prof. Tout, Prof. W. P. Ker, Prof. T. W. Arnold, and Mr. Reginald Lane Poole, editor of the *English Historical Review*. Excellent work has been done independently, in the domain of Franciscan literature, by Fr. Cuthbert, the Capuchin, and by the late Prof. Brewer, whose masterly and inspiring preface to the *Monumenta Franciscana* is still delightful reading. Among other gifted workers in this field may be mentioned Dr. Edmund Gardner and Montgomery Carmichael, both Franciscan Tertiaries; Father Paschal Robinson, O.F.M., the distinguished Irish-American scholar; Miss Salter, Canon Knox Little, Canon Rawnsley, Moir Bryce, Ferrers Howell, Davison, and others.

On the Continent, quite a legion of eminent scholars have written on Franciscan themes. Frederic Ozanam, founder of the Society of St. Vincent de Paul, published his classical work on the *Franciscan Poets of Italy in the 13th Century*, just seventy years ago. But Paul Sabatier's *Life of St. Francis of Assisi* (first edition, 1894) may be said to have created the modern movement in Franciscan studies—a movement which has been so fruitful in literary results. The Franciscan Order itself has given a powerful impetus to these studies, by means of learned international publications, such as the *Archivum Franciscanum Historicum* and the *Analecta Franciscana*. Great Franciscan investigators, themselves sons of St. Francis, such as Marcolino da Civezza, Sbaralea, Golubovich, Lemmens, Eubel, Holzapfel, Livarius Oligier, Michael Bihl and others, have played leading parts in this literary movement, and written many scholarly works of abiding value. Outside the ranks of the Order, we find Father Van Ortro, the Bollandist; Fathers Denifle and Mandonnet, the Dominican historians;

Mgr. Faloci-Pulignano ; Johannes Jörgensen, the Danish convert ; Father Ehrle, S.J. ; and a numerous group of learned Germans—all contributing their respective quotas to Franciscan literature in recent years. In a word, no other Order in the Church has attracted so many savants and men of letters, from so many lands, to the study of its history and literature as the Order of St. Francis has done.

Men of letters in Ireland have not yet taken their proper place in this modern movement. Irish Franciscans themselves have behind them a noble tradition of scholarship. They can look back with pride to Wadding and Harold, Baron and Ponce, Ward and Colgan, Conry and MacCaghwell, Sheerin and Fleming, O'Hussey, O'Molloy, and Michael O'Clery, to say nothing of that interesting and tantalizing figure, Anthony Bruodin. The lives and writings of these great Irish Franciscans, who belong mostly to the first half of the seventeenth century, offer a wide and attractive field for scholarly research.

The history of the various Orders that have flourished or decayed in Ireland has been sadly neglected in this country. In the Middle Ages we had several branches of the Canons Regular : we had Canons Regular of St. Augustine, Canons of St. Victor, Arroasian Canons, and Premonstratensians. We had Knights Templars and Knights of St. John or Hospitallers. We had Benedictines of various affiliations ; we had one Carthusian house for a time, and many flourishing Cistercian Abbeys. We had, of course, the four Orders of Friars—Augustinians, Camelites, Dominicans, and Franciscans—whose extraordinary vitality during the dark ages of persecution was rewarded by a renewal of youthful vigour in the nineteenth century. We had Trinitarians, concerning whom so many fables have been told ; and we had Crutched Friars (Cruciferi or Croiseurs), who have been so often mistaken for Trinitarians. To complete the list, we had Canonesses Regular, Benedictine Nuns, and Cistercian Nuns. For the most part, the activities of these various Orders in Ireland still await investigation. It would be natural to suppose that each of the

existing Orders should regard itself as an Irish Society for Franciscan Studies, or Dominican Studies, or Carmelite Studies, etc., as the case might be. Let us devoutly hope that it may be so in the near future. A new era in Ireland, if it is to be an era of peace and progress, would seem to demand new methods and fresh activity.

Among the few specimens of mediæval Franciscan literature that have a direct connexion with this country, we must reckon the *Liber Exemplorum*, edited by Mr. Little in 1908. Its author was an unnamed English Franciscan, who appears to have spent many years in Ireland. That he was a Warwickshire man seems hardly open to doubt. We know for certain that he lived as a Franciscan in Dublin and Cork, and we may infer that he lived in Drogheda. There is some reason to think that he was a member of the Irish province. It may be that he spent some time in Drogheda as a young man, for he tells us of a certain Adam, a burgess of that town, whom he knew quite well. In any case, he was a full-blown member of the Dublin community between 1256 and 1258. Later on, about 1264 or 1265, we find him a student in Paris, where he associated with the renowned Roger Bacon, one of the glories of his Order. In due course, our author returned to Ireland, and served in Cork as lector, that is, as professor of philosophy, theology, or Sacred Scripture. His *Liber Exemplorum*, a collection of stories and illustrations for preachers, was written between 1270 and 1279, very probably between 1275 and 1279. It enjoys the distinction of being the earliest Franciscan compilation of the kind, at least the earliest that has hitherto appeared in print. Only one manuscript of the work is known to exist; it is a mid-fourteenth century copy, now treasured in the Cathedral Library of Durham. Unfortunately, the MS. is not entire; the prologue and the end of the work—perhaps a third of the whole—are wanting.

Our author shows no trace of racial animosity, and no jealousy or antagonism towards other Orders or the secular clergy. 'His relations to individual Dominicans were

cordial,' as Mr. Little notes, 'and his references to them are conceived in the most friendly spirit.' He makes no allusion to Franciscan ideals and legends, probably because his work was intended for use by all kinds of preachers. Living and moving, for the most part, among English adventurers and planters in Ireland, he had the insular outlook of his race, and seems never to have realized the existence of such things as Gaelic literature and Gaelic culture. At the same time he mingled, on terms of friendly intimacy, with several Franciscans of purely Irish blood, and draws no distinction between them and his own compatriots. On the whole he was a rare and refreshingly broad-minded specimen of the Englishman in Ireland in that age.

His volume, as it stands, is divided into two parts. The first treats 'Of things above' and the second 'Of things below.' In his first part the subjects are arranged in order of precedence. Thus we have passages and anecdotes from various authors on the life, passion, and resurrection of Our Lord, the Blessed Sacrament, the power of the Cross, and the mercy of Our Saviour; then follow numerous chapters on Our Lady, her feasts and her miracles; after which we have three chapters on the Angels and two on St. James. The second and longer part deals with moral and religious topics in dictionary fashion, thus we have 'de accidia, de advocatis, de avaricia, de baptismo,' etc., ending with 'de mortis memoria.'

The anecdotes relating to Ireland are those which naturally possess most interest for Irish readers. These stories have the additional merit of introducing us to a good many Franciscans, whose labours in Ireland deserve to be rescued from oblivion. Let us begin with the dramatic adventure of the Bailiff of Turvey, which our author emphatically declares to be a true story:—

Father Adam Habe, of happy memory, was a holy and devout friar, and a famous and fruitful preacher. He was in our Order in my own time and was formerly my superior.¹ Once, while a great concourse of people

¹ His surname is given as Abab in a Balliol College MS.; he was custos in Ireland, most probably in Dublin. A custos had jurisdiction over the various houses comprised within his 'custody.'

were assembling to hear his sermon, a man came and asked to be heard in confession. The man told his reasons for desiring to confess his sins then and there. On the previous night, he was walking alone from one townland to another, when he saw afar off an indescribably horrible beast coming towards him. The monster was so dreadful that the man at once knew it to be the devil in the form of a hideous animal. The man stood rooted to the ground in an agony of fear. He was a sinner, but the light of faith came to his aid. With an axe or halbert which he happened to be carrying, he made signs of the cross in the form of a circle around him. He was in deadly fear that his sins might have placed him in the devil's power, and he knew well that, unless God helped him, he could not escape the demon's clutches.

Reminding himself that God is merciful, and that He is more willing to forgive than to condemn, he cried to the Lord, saying: 'Lord, I have no priest to hear my confession now. But I promise to give up my sins. You are my only refuge; to You, Lord, I confess my sins in the meantime. I have committed this sin, and that, and so on.' Thus he confessed his sins to God, as if the Lord were present before him. And now, wonderful and delightful to relate, as soon as he confessed the first sin, a wall began to grow up on the ground around him. When the second sin was confessed, the wall grew higher. When the third sin was told, the wall became still higher. As the confession went on, the wall steadily increased in height. When the tale of sin was fully told, the wall was so high all round that the man stood inside, as it were, in a strong tower. But his fright was so great that he could feel no security in his heart; and no wonder, for when the wall began to grow as a reward for his faith, repentance, and confession, the devil came in that monstrous shape, and attempted to rush in and overpower him. But as the man cried out to God and continued his confession, the devil's fierce attempt to cross the low wall was foiled by the power of God, and he was thrown backwards to the ground. Returning to the charge, the demon made a formidable effort to cross the wall which had now grown higher, while the wretched man inside cried out in horror and was almost dead with fright; but the demon was hurled backwards as before. Time after time the devil furiously attacked the wall in order to reach the hunted wretch who stood quaking inside, but the wall grew higher and higher, and the demon was always baffled and flung back by the power of God.

In this awful plight the unhappy man remained, hemmed in by his wall, until daylight came. But even when the wall had reached its greatest height, the devil kept clambering up and showing his horrid visage over the top, thus keeping his victim in a continual paroxysm of fear. The unfortunate man himself was in such distress and terror all night that he made innumerable vows and promises to God, so many that it would have been almost impossible to fulfil them. He would choose to spend his whole life in the most fearful poverty, toil, and hardship imaginable, if he could only save his life and escape the horrors of another such night.

After moralizing a little on this incident, our author adds :—

This man confessed his sins, in fear and trembling, to Father Adam, and added sundry other details to the story narrated above. He further added that Father Adam might tell the whole story in his sermon, without mentioning any name; and this the preacher did, while the man sat at his feet and listened. Let no one doubt the truth of this narrative, for Father John of Galtrim and Father Thomas of Ufford heard all these particulars from the aforesaid Father Adam, and related them to myself and many others. I cannot say whether I ever heard the story from Father Adam himself; but I could hardly have missed hearing it from him, except through negligence or inattention. This happened at a place near Dublin, and the man to whom it happened was bailiff of Turvey at the time.

Stories of this kind are apt to provoke a smile from a sophisticated audience of to-day. A good many people would readily suggest that the bailiff of Turvey needed the temperance pledge. Still, I am inclined to surmise that the story of his nocturnal adventure might provide a good scenario for a picture-play. The moral would certainly be better than that of many American atrocities of the film world. In any case, the narrative has the merit of preserving the names of three worthy Franciscans of this period—Adam Habe and John of Galtrim, who are not mentioned elsewhere, and Thomas of Ufford, who figures as the narrator of another story :—

Thomas of Ufford was a famous friar in Ireland in his day. He heard the following incident in a sermon by Friar Hugh, who was then a student at Cambridge and afterwards became guardian in London. Shortly before that time there was a certain cleric who made great progress in the study of law at Cambridge, but used his legal knowledge for unjust ends, as many do. He felt assured of a long life, but he was mistaken. Just when he was most eager to live, he was stricken down by illness and reduced to the last extremity. As the hour of his death drew near, there were clerics around him as usual, and he suddenly cried out in a great voice, with terrific energy: 'Appeal! Appeal!' The clerics were thunderstruck, and begged him to tell them what was the matter. Again he cried out, with the utmost violence: 'Appeal quickly! What are you doing? Why don't you appeal?' Shortly afterwards he added in a mournful voice: 'Ah, you have delayed too long. Sentence is pronounced against me. I am damned for ever.' With these words he gave up the ghost and went to his eternal damnation, which was revealed to him for our

benefit, not for his own. Let attorneys and barristers, and bailiffs as well, take warning from this, for an unhappy judgment awaits them if they turn aside from the right way.

Our author is very severe on lawyers. Men of that profession were mostly clerics in his day. Ever since the time of Innocent III, it had been a common cause of complaint that ecclesiastics, who graduated in canon and civil law at the Universities of Paris and Bologna, often used their legal knowledge for unjust and rapacious purposes. The unhappy end of one of these pleaders is thus described :

There is another very remarkable and horrible fact about lawyers, which was told me by a certain Norman, of whose truthfulness I have a pretty good opinion. This is what he told me. There was in the city of Rouen a cleric named Master William Bodin, whom the said Norman knew very well, and whom he used to see every other day. This cleric was a lawyer ; he used to plead in the court of Friar Rigald, who was then Archbishop of Rouen. In his conduct, however, he did not follow the straight path, and many legal practitioners do as he did : but observe the end he made. On a certain day, as he went for a stroll on the bridge of Rouen, in presence of an immense crowd of men and women, who happened to be in the street, on the bridge, and in boats at the time, he was seized by demons and lifted on high, and borne through the air across the waters of the Seine, which is very broad at that point. He was carried on high beyond the great abbey of Notre Dame des Prés, near Rouen ; then he was dashed to the ground, and his body was broken and shattered, and so he came to a miserable end, receiving the reward which he so well deserved.¹

In another story, which he borrows from the Dominican, Guillaume Pérault, who died in 1250, our author has a final fling at the lawyers :—

Wicked lawyers deserve to be bathed in molten gold. Hence we read in one of Seneca's tragedies, that somebody had a vision, in which he saw Nero bathing in hell, and the devils pouring boiling gold into his bath. When he saw the choir of lawyers approaching, 'Come hither,' he said, 'you venal race of men. Come, my lawyer friends, and bathe with me in this vessel, for I have reserved plenty of room for you herein.'²

The devil figures very often in these mediæval tales. A curious story of devils in Connacht was told by Bishop Thomas O'Quinn, sometime custodian (custos) of Drogheda,

¹ Odo Rigaldi, O.F.M., was Archbishop of Rouen, 1248–1275. His Register, edited by Bonnin in 1852, makes no mention of William Bodin.

² This passage does not occur in any of Seneca's genuine tragedies, though it is a good imitation of his style.

who ruled the see of Clonmacnois from 1252 until his death in 1279. Bishop O'Quinn, says our author, was 'a good man and faithful and very learned (*admodum litteratus*), who before becoming Bishop had done zealous service to God for very many years in poverty and humility, and sound and edifying preaching. When he was Bishop he told me the following story :

"When I held the office of preacher in the Order, I came on one occasion to preach in Connacht. There was then a dire and dreadful pestilence raging in the diocese of Clonfert. When men went ploughing or walking in the fields or woods, they used to see—so they told me—armies of devils passing and sometimes fighting among themselves. Those who saw this were straightaway seized with the sickness and many died miserably. When I heard this, I got together a meeting—a real big one—and preached the word of God, saying this sort of thing : 'You have now a great pestilence among you, and it is brought about by the devils, whom many of you often see in these parts. Do you know why the devils have the power of inflicting these injuries upon you ? Certainly, I tell you, it is for your lack of faith. You are too much afraid of their power, and you do not believe or think or trust that God will defend and guard you, so that they cannot hurt you. And therefore God permits that they have this power of doing you harm. If you had firm faith and believed firmly that they can do nothing but what God allows, and would amend your lives, asking the Lord earnestly to defend you from their snares, you may be certain that they would have no power against you. You know and see that we—we friars—do more against them and say worse things about them than anybody else in the world. I am standing here and saying all these bad things about them, and preaching, and I tell them to come on and do whatever they can to me. Let the devils come if they dare ! Let them all come ! Why do they not come ? What are they doing ? Where are they ? I fling this insulting challenge at them in the ears of the whole people.' From that hour the devils vanished, and have never appeared there again, and the pestilence ceased." ¹

Elsewhere we get a curious glimpse of a missionary tour in Ulster, and of the lively faith of the people and their somewhat lax notions in regard to indulgences. I must condense this and the remaining stories at the risk of spoiling them. Says our author :—

There was a certain friar of ours in Ireland, who was alive after my coming to the country, and was a very famous preacher. The people

¹ I have borrowed Mr. Little's spirited version of this tale from *The Franciscan Province of Ireland*, Introd. pp. xix., xx. For a similiar diabolical plague in A.D. 1084 see Professor MacNeill's *Phases of Irish History*, p. 86.

used to follow him from one district to another, so attractive were his sermons. Once, on a preaching tour in Ulster, in company with Friar Donekan [Donegan ?] who is still alive, he gave missions in one village after another. The preachers were continually followed by a great crowd of people, both for the sake of the sermons and for the indulgences. Among their followers was a man who accompanied them, amassing indulgences, till all his money was spent. On his way homewards, he obtained a night's lodging from a householder or publican. The latter, hearing of all the indulgences he had secured, said : ' I should like to have as many indulgences as that for my son, who has lately died.' The other offered to sell all his indulgences in return for the money he had spent in getting them, and a pot of beer in addition. So the bargain was struck. In the following night, a shining spirit appeared to the father, announcing, ' I am your son, and may God bless you as a good father, for the indulgences you bought for me have freed me from punishment, and now I am going to heaven.' The father, overjoyed, awakened his family, and told them of the vision. The foolish seller was still in the house and heard the news. Realizing the efficacy of the indulgences, he tried to recover them by returning the money, but the householder would not consent. So the man went his way, minus the indulgences. This transaction became pretty commonly known in Ulster, and Friar Donekan told Friar Robert of Dodington that the incident happened during their preaching tour, and that they heard the details both from the householder and the foolish seller.

Friar Donekan figures in another story, of which the heroine was the covetous wife of a publican, who lived between Duiske (Graignamanagh) and Ross. This publican was known as the Palmer, because he had made a pilgrimage to the Holy Land. He once bought a tun of wine for use in his tavern. His wife thought the price too high, for wine was plentiful at the time. She feared that the transaction would result in a loss of money. The matter worried her ; she kept talking about it to her women friends. At last, a certain woman offered to sell her a secret which would enable her to dispose of the wine at any profit she liked. The Palmer's wife, with feminine eagerness, jumped at this proposal. The other woman was a witch, and this was her advice : ' You are about to communicate at Christmas ; keep the particle in your mouth, and when you come home put it in the tun of wine, and you shall receive your soul's desire.' The publican's wife had fasted all through Advent, and would naturally communicate at Christmas. On Christmas Day she followed the witch's instructions, and put

the Sacred Host into the tun. But the vengeance of God came upon her, in a wonderful yet merciful way. Next time she went to draw wine, not a single drop was to be found in the tun. Amazed and frightened, she wished to make doubly sure. She fetched her husband's pilgrim's staff, and put it into the tun. There was not the least sign of wine, but the Sacred Host came up on the end of the staff. At once she remembered the wicked deed she had done, and understood that God had punished her for it. In fear and reverence she took the Sacred Host to the priest and confessed her sin with deep and heartfelt sorrow. The priest, hearing of this unparalleled crime, did not dare to give her a penance, but bade her go to the friars, who could give her safer and more salutary counsels. She made a humble confession to Friar Donekan, who gave her an exemplary penance, and absolved her. Returning home, she heard a murmur, like that of wine fermenting in the tun. Taking one of the vessels for drawing wine, she opened the tap, but was hardly able to close it again, so great was the force with which the liquor gushed out. Thus the wine she had lost was restored by the merit of a good confession; and the woman gave heartfelt thanks to God for His goodness and mercy. Our author warns preachers that, in telling this story, they should omit all mention of the unheard-of crime against the Blessed Sacrament, and content themselves with saying that the woman had been guilty of an act of superstition, which was both silly and exceedingly sinful.

The duty of paying tithes is enforced by the example of a woman in Balrothery parish, near Dublin, 'in our own times,' who had twenty lambs. To avoid the duty of giving two lambs to the Church, she hid ten under a covering, and gave the Church only one. 'But behold the delightful (*iocundissimum*) judgment of Him who seeth all things!' On removing the covering, the woman found her nine lambs dead, and only the Church's tenth lamb still alive. She gave this lamb also to the Church, as in duty bound, and confessed her sin with sincere contrition. The woman herself

told the whole story, so that it became public property throughout the parish.

These are specimens of the simple tales that abound in the *Liber Exemplorum*, a book which might be fitly described, in Poe's phrase, as 'a quaint and curious volume of forgotten lore.' Of the 213 stories or chapters which this volume contains, many are fragrant with tender devotion towards Our Lady, while many others have a touch of grossness that unfits them for modern ears polite. The unknown author, though a lector or professor, shows no taste for allegory or for the subtleties of the Schools. His aim is severely practical. His *exempla* are chosen for 'the utility and edification of the people, announcing to them vices and virtues, punishment and glory,' as the Rule of St. Francis prescribes.

By way of giving this article some semblance of historical value, I may subjoin a list of Franciscan lectors in Ireland. The list, of necessity, is very incomplete; for lectors are rarely and casually mentioned in the extremely meagre literature of the time:—

1265-1279.	Author of <i>Liber Exemplorum</i> ,	lector in Cork.
1286-1300.	Friar Malachy, Doctor Theologus,	„ Limerick (?).
1303.	Michael MacLaughlin,	„ Armagh.
1310.	Walter de Prendergast,	„ Dublin.
1320.	Henry Cogry, S.T.M., Professor in University,	Dublin.
1348.	Hugh O'Neill,	lector in Armagh.
1349.	William O'Mulcahy,	„ Nenagh.
1349.	Thady MacMahon,	„ Limerick.
1353.	Rory O'Mulroney, lector in various Convents of his Order.	
1362.	Thomas O'Houlihan,	lector in Ardfert.
1363.	Patrick Magrath,	„ Nenagh.
1369.	Thady O'Brasil,	„ various places.
1371.	Donogh O'Grady,	„ Nenagh.
1375.	Thomas O'Colman	„ Armagh.
1441.	John White, S.T.B. (must have taught for some years).	
1441.	Thady Mac Gilla Cundain,	lector in Ennis.
1441.	Matthew MacEgan,	„ Askeaton.
1441.	Conor O'Molony, S.T.B.	
1444.	Conor O'Cunlis, S.T.B.	
1444.	John O'Daly, S.T.B.	
1445.	William O'Reilly, inceptor in Theologia.	
1447.	Conor O'Mullaly, S.T.B.	
1451.	William O'Reilly, S.T.M.	

This preponderance of Irish lectors in a province which numbered so many Englishmen within its borders is very remarkable. It was no wonder that Father William O'Reilly, the Provincial, could assure the Pope in 1446 that the purely Irish Franciscans were *multo plures et valentiores* than English members of the Order in Ireland. How far the Franciscan schools of Dublin, Cork, Limerick, Nenagh, etc., and other conventual and monastic schools, may have helped in the formation of Irish secular clergy, there is no direct evidence to show. The training of Irish secular clerics in the Middle Ages is a very obscure topic that still awaits elucidation.

M. H. MACINERNEY, O.P.

RELATIVITY AND SPACE

BY REV. H. V. GILL, S.J., M.A., M.Sc.

MANY of the developments of modern physics involve a consideration of the nature of 'space.' This is especially true of Einstein's theory of relativity. A great deal of the difficulty felt by the ordinary reader when he approaches this subject is due to an uncertainty as to the meaning to be attributed to the word 'space.' Whatever may be the meaning which pure mathematicians give to the word—and it is not easy to find their definition—it is certain that Einstein attributes to it a signification very different from that of metaphysicians. One is even sometimes tempted to think that some mathematicians would not agree to all the limitations imposed by Einstein.

Omitting the views of purely subjectivist philosophers, we are justified in saying that, for the majority, the word 'space' is equivalent to 'vacuum.' *Physical space* is defined as a capacity for receiving or containing an extended object. Implicitly, at least, space is never conceived as quite distinct from matter. A boundary or a contained object is always contained in the notion of space. Has, then, space any reality? According to the scholastics, space is nothing *a parte rei*, but has a *fundamentum in re*—it is nothing in itself, but it has a certain reality depending on matter actually or potentially existing in it. *Mathematical space* is nothing more than abstract extension, which is the foundation of geometrical relationships. Space in this latter sense cannot be imagined or presented to the senses. Our senses do not allow us to imagine any other kind of space than that in which we pass our conscious existence.

We may imagine a space of one or two or three, but not of more than three, dimensions. If our faculties were

other than they are it is possible that we might be able to represent to ourselves spaces of more than three dimensions, though in our present state we have no idea how this could be accomplished. Here, however, we are dealing only with 'space dimensions.' Space of three dimensions corresponds to that occupied by material substances which have length, breadth, and thickness. If we take a solid rectangular block, we notice that three plane surfaces meet in a corner. We can locate any point inside—or outside—the block by measuring its perpendicular distances from these three surfaces. Thus every point in the block is completely determined when we know these three distances. We have no faculty which allows us to imagine a fourth dimension which cannot be resolved into one or more of those three. The three perpendicular distances are generally represented by the letters x , y , z . The mathematician is not concerned with the physical existence of these quantities. In his calculations he does not make any attempt to visualize them. For the purposes of calculation it does not matter to him whether the point is separated from the sides by lead, or air, or vacuum.

Although the mathematician cannot *imagine* a fourth dimension, he may make a stipulation that the point is not definitely specified unless it conforms to some other condition represented by a fourth variable, say q . There would, therefore, in this case, be a four-dimensional system, involving the knowledge of four quantities, x , y , z , q . In the same way, calculations might be made and systems invented involving any number of dimensions. Valuable results have been obtained in this way, but they do not help us to visualize a substance of four dimensions. Whatever may be true of those realms of nature which do not come under the direct observation of the senses, we know that space, as apprehended by our senses, is completely satisfied by three dimensions.

Now, Einstein tells us that certain phenomena of light can only be explained by attributing to the 'space' in which the light is propagated, not three, but four

dimensions. We are not here concerned with the details of Einstein's theory of relativity, but only with the nature of the space he demands for his treatment of the subject. It will be sufficient for us to take any portion of his explanation in which he deals with the notion of space. For our purpose it will be sufficient to base our examination on his treatment of the 'general theory of relativity,' in which he considers the effect of the gravitational field, surrounding every 'mass,' on the path of a beam of light. He tells us that half of the deflection of a ray of light passing near the sun is caused 'by the geometrical modification ("curvature") of space caused by the sun' (p. 127).¹

The case is analogous to that which might actually happen in the case of a surface of two dimensions. Every point on a 'plane surface' can be completely determined by expressing its perpendicular distances from two intersecting straight lines. A 'straight line' can be represented by means of an equation involving values of x and y , which are all located on the line in question. It might happen that at some part of the surface it was found that on very exact measurement the equation failed to determine the points on the line. On seeking a reason for this departure from the known law, it might be discovered that the surface—a metallic one—passed near a very hot radiating body. The effect of the heat was to cause an expansion in that portion of the surface near it. This expansion would cause a slight unevenness, so that the surface was no longer plane. Although this might be undetectable in the case of ordinary measurements, or for ordinary temperatures, yet it might be enough to cause trouble in the case of very refined observations. Since the surface near the hot body is no longer 'flat' a point at that place can no longer be fully determined by the two distances x and y . We must take into consideration its height above the general plane of the original surface; we must introduce a 'third

¹ *Popular Exposition.*

dimension,' z . In the same way, Einstein tells us that for space near the sun the effect of the gravitational field is that laws of light must be expressed, not in three, but in four dimensions.

This fourth dimension of Einstein is an imaginary one, and is proportional to the time t of an event; t being, as a matter of fact, replaced by $\sqrt{-1} \cdot ct$, where c is the velocity of light. The dimensions used by Einstein take account of the fact that not only *distance* has to be considered in the case of moving bodies, but also *time*. Thus, on Einstein's 'curve' (which cannot be drawn), expressing the successive states of a body in motion, two neighbouring points show, not the *distance between two points*, but the *interval between two events*. The result of the application of the principle of relativity to this transformation is that the 'space-time continuum of the general theory of relativity is not Euclidean.' Thus the effect of gravitational masses on the 'space' surrounding them is to give rise to a 'curvature of space,' so that light, which in free space, i.e. removed from gravitational masses, travels in straight lines relatively to a terrestrial observer, describes a curved line relatively to the same observer, when it passes near the sun. What is the nature of the 'space' thus modified?

Those who supposed that Einstein's space was what we call mathematical space were at a loss to understand how it could be modified by the presence of matter. Those who looked on space as a vacuum were no less puzzled to explain how the influence of the mass could be exercised without introducing 'action at a distance,' which Einstein rejects. In his *Popular Exposition* Einstein did not give us much help in settling this question. Referring to the expression 'motion in space,' he says: 'In the first place we entirely shun the vague word "space," of which, we must honestly acknowledge, we cannot form the slightest conception, and we replace it by "motion relative to a practically rigid body of reference"' (p. 9). Nevertheless, the word occurs frequently throughout the book, to the

no small bewilderment of 'those who are not conversant with the methods and operations of theoretical physics'—for whose information the book was written. As a result a good deal of discussion took place, even in the columns of serious journals such as *Nature*, as to whether Einstein meant the word 'space' to be taken in a special sense. Some suggested that his views did away with the need of an *ether*, and although the recognized authorities on relativity in these countries asserted that such was not the case, many were still doubtful.

Einstein, realizing no doubt that there was need of a clearer exposition, published two lectures, which have appeared this year in an English translation under the title *Sidelights on Relativity*.¹ The first of these lectures was delivered in May, 1920, and is called 'Ether and the Theory of Relativity,' the other, on 'Geometry and Experience,' is the expanded form of an Address to the Prussian Academy of Sciences, in Berlin, delivered in January, 1921. One cannot but think that had these lectures been published with or before the *Popular Exposition* (published at the end of 1916) a great deal of misunderstanding would have been avoided.

While admitting with Poincaré that Euclidean geometry seems to correspond exactly to the ideal space relationships which satisfy the demands of the human imagination, he holds with him and with all physicists that we have no guarantee that the 'propositions' of Euclidean geometry will always hold good in the actual physical measurements in physical nature :—

The more modern interpretation : Geometry treats of entities which are denoted by the words straight line, point, etc. These entities do not take for granted any knowledge or intuition whatever, but they presuppose only the validity of the axioms, such as the one stated above ('Through two points in space there always passes one and only one straight line'), which are to be taken in a purely formal sense, i.e., as void of all content of intuition or experience. These axioms are free creations of the human mind. All other propositions of geometry are logical inferences from the axioms (which are to be taken in the nominalistic

¹ Methuen, 1922.

sense only). The matter of which geometry treats is first defined by the axioms. Schlick, in his book on epistemology, has therefore characterised axioms very aptly as 'implicit definitions.'

This view of axioms, advocated by modern axiomatics, purges mathematics of all extraneous elements, and thus dispels the mystic obscurity which formerly surrounded the principle of mathematics. But a presentation of its principles thus clarified makes it also evident that mathematics as such cannot predict anything about perceptual objects or real objects. In axiomatic geometry the words 'point,' 'straight line,' etc., stand only for empty conceptual schemata. That which gives them substance is not relevant to mathematics.¹

If we inquire why it is that the 'practical geometry' of physical nature does not correspond to the ideal geometry of the imagination, the reply is to be found in the nature of 'space,' especially in the neighbourhood of massive bodies, which are surrounded by a zone of influence which we know as a 'gravitational field.' Hence arises at once the need of a very clear notion of what kind of a reality this 'space' is.

Einstein tells us clearly the meaning he attributes to the word in the first of the lectures referred to above. The following quotations from the translation referred to above will help to make us understand the nature of the 'space' he deals with. It will be found to be none other than our old friend the ether, under a new name:—

More careful reflection teaches us, however, that the special theory of relativity does not compel us to deny the ether. We may assume the existence of an ether; only we must give up ascribing a definite state of motion to it. . . . (p. 13).

But, on the other hand, there is a weighty argument to be adduced in favour of the ether hypothesis. To deny the ether is ultimately to assume that empty space has no physical qualities whatever. The fundamental facts of mechanics do not harmonize with this view. For the mechanical behaviour of a corporeal system hovering freely in empty space depends not only on relative positions (distances) and relative velocities, but also on its state of rotation, which physically may be taken as a characteristic not appertaining to the system in itself. In order to be able to look upon the rotation of the system, at least formally, as something real, Newton objectivises space. Since he classes his absolute space together with real things, for him rotation relative to an absolute space is something real. Newton might no less well have called

¹ *Sidelights*, p. 30.

his absolute space 'ether'; what is essential is merely that, besides observable objects, another thing, which is not perceptible, must be looked upon as real, to enable acceleration or rotation to be looked upon as something real (p. 16).

What is fundamentally new in the ether of the general theory of relativity, as opposed to the ether of Lorentz, consists in this, that the state of the former is at every place determined by connexions with the matter and the state of the ether in neighbouring places, which are amenable to law in the form of differential equations; whereas the state of the Lorentzian ether, in the absence of electro-magnetic fields, is conditioned by nothing outside itself, and is everywhere the same. The ether of the general theory of relativity is transmuted conceptually into the ether of Lorentz, if we substitute constants for the functions of space which describe the former, disregarding the causes which condition its state. Thus we may also say, I think, that the ether of the general theory of relativity is the outcome of the Lorentzian ether, through relativation (p. 19).

. . . Nor do we know whether it is only in the proximity of ponderable masses that its structure differs essentially from that of the Lorentzian ether: whether the geometry of cosmic spaces is approximately Euclidean . . . (p. 20).

Recapitulating, we may say that, according to the general theory of relativity, space is endowed with physical qualities; in this sense, therefore, there exists an ether. According to the general theory of relativity space without ether is unthinkable; for in such space there not only would be no propagation of light, but also no possibility of existence for standards of space and time (measuring-rods and clocks), nor therefore any space-time intervals in the physical sense. But this ether may not be thought of as endowed with the physical quality characteristic of ponderable media, as consisting of parts which may be tracked through time. The idea of motion may not be applied to it (p. 23).

This materialization of space enables us to appreciate the reasonableness of Einstein's conclusion that a ray of light passing near the sun should be deflected. As we have already pointed out, the mathematical treatment of the subject is altogether distinct from the physical reactions or mechanism which underlies the laws which are obeyed. Luminous phenomena take place in the ether of space, which is indeed the seat of all such influences exerted by any body on others which are distant from it. The ether is the universal wave-propagating medium which permeates the whole material universe. It enables one body to exert on another that attraction which we call gravitation. All such influences as radiation, whether of

light, heat, electric waves exerted through the ether, obey along with gravitation, the law of the inverse square. The earth is kept in her orbit round the sun by forces exerted through and residing in the ether. The force required to produce this result is not less than that which could be withstood by a bar of steel equivalent to a million million round rods each thirty feet in diameter! Now this strain or pull on the ether must produce some very considerable modification in the ether atmosphere near the sun. The nearer the sun the greater will be the ether strain. It is not difficult to imagine how this state of strain may modify to some extent those properties of the ether of space on which depends the propagation of light. The greater the mass the greater will be this effect, and in the case of the sun may be sufficient to produce effects which can be observed.

What chiefly gave rise to the popular interest in Einstein's theories of relativity was the experimental verification of his prediction that a ray of light passing from a star to the earth and just grazing the surface of the sun would be found to be deflected. An attempt has been made in the observations on the most recent solar eclipse—September 21—to obtain further corroboration, but the results are not yet available. There does not seem to be any reason to doubt the truth of these results, and indeed quite apart from Einstein's mathematical work we should have expected some such result. It had already been suggested that the velocity of light near large masses would be affected by the gravitational field, but no one had apparently thought of the experimental test suggested by Einstein.

The bending of a ray of light near the sun is, like the case of refraction when passing from air into glass or water, due to a difference of velocity in the two media. By assuming that the effect of the gravitational strains in the ether is to lessen the velocity of light, we at once deduce the necessity of the deflection of light. We do not, of course, suggest that this is due to any material

substance distinct from the ether, but simply that the properties of the ether of space, which correspond to the inertia and elasticity of material media, are so modified by the gravitational field that the velocity of light is somewhat less near large masses than in what Einstein calls *vacuo*, that is in the regions of space—or ether—far removed from matter. A simple calculation shows that the difference of velocity corresponding to the Einstein deflection is equivalent to that produced by the passage of light through a refracting medium having a refractive index of 1.00000424, which would mean a reduction of about a thousand yards per second in the velocity of light. This would cause a slewing round of the wave front to the required amount, thus producing the observed result.

Once, therefore, we are assured that the 'space' of Einstein is a material substance, having definite properties, we see how reasonable is the prediction of Einstein. Perhaps the most extraordinary feature of his theory is his method of arriving at the exact amount of deflection which was to be expected.

Another test case suggested by Einstein was the explanation of certain unexplained discrepancies in the orbit of the planet Mercury. The amount of the departure from the calculated motion is known accurately, and it has been found that it can be accounted for by taking into account the 'curvature of space' demanded by Einstein's theory. We can find the physical reason for this departure from the theoretical law, as deduced by Newton, in the effect of the ether strain, or gravitational field. We have already shown that the ether near a large mass like the sun is in a different condition from that of free ether. It is reasonable to suppose that the law of attraction, according to which all bodies attract each other with a force inversely proportional to the square of the distance between their centres, would be slightly modified in the neighbourhood of large masses. It is known by calculation what departure from the law of the inverse square would be sufficient to account for the peculiarities of Mercury's orbit. As a matter

of fact, the amount of this discrepancy is so small that it can only be observed in the case of Mercury, which, being nearest the sun, is in a stronger gravitational field than the other planets. Examples of a similar nature are to be had in other branches of physics. It is known, for example, that the velocity of sound through air near a strong source of sound waves is different from the normal velocity in undisturbed air.

It seems pretty certain that there must be some definite numerical relationship between the gravitational and the optical properties of the ether of space, since we suppose both these forces to be propagated through this substance with the same velocity when disturbing influences are absent. Knowing the exact amount of the deflection of light near the sun, and the departure from the law of the inverse square in the case of Mercury, it is possible to obtain valuable information concerning the properties of the ether of space. Did we know this relationship with sufficient accuracy we should be able to deduce the numerical amount of the deflection of a ray of light from the known discrepancy of Mercury's orbit, and *vice versa*.

Enough has been said to make it clear that the 'space' of Einstein is in reality a physical substance, possessing properties which, though different from those we are familiar with in ordinary matter, are equivalent to them. One of the difficulties we have in dealing with the ether of space is that we have no vocabulary which we can use to express its properties accurately. We can only describe by analogy the qualities which we assume to produce results similar to these we are familiar with in our world of matter. The ether is after all prior to matter and cannot be described in terms of matter. We do, however, know that it must possess certain definite properties which enable it to transmit the enormous forces of gravitation, and the electromagnetic wave motion we call light. Whether we are to look on the ether as something quite distinct from matter as we know it is a question which cannot be directly answered. It seems to be becoming more and more evident

that matter and ether are but different manifestations of the same reality. In Einstein's view, as in that of every physicist, there must be a very close connexion between the two. His theory lays stress on the fact that ether is, in its properties, 'determined by matter and the state of the ether in neighbouring places.'

It is more difficult to represent to the imagination any physical mechanism which will help to a clearer concept of the properties of space which can make possible Einstein's fundamental hypothesis. The starting point of Einstein's reasoning is a fact which, contrary to all expectation, seems to be established by observation; that the velocity of light as determined by terrestrial observers is independent of the motion of the observer. Einstein lays it down as a postulate that under all circumstances every observer moving with any velocity would obtain the same value for the velocity of light through empty space, that is through space removed from gravitational masses. This is equivalent to the statement that the time taken by an engine having a fixed velocity to pass a train on a parallel line, as measured by an observer on the train, would always be the same whether the train were stationary or moving towards or away from the engine. It is difficult for us to reconcile this condition of things with our preconceived ideas, and it must be admitted that at first sight there would seem to be a contradiction. It is not our purpose to go into this question now, but it is well to keep in mind that the relationship between the railway train and the rails is not quite the same as the Einsteinian idea of that between the observer and 'space' through which he is moving. In the former case the train is perfectly distinct from the rails, and the motion of the train does not influence either the rails on which the train or the engine is moving. In the case of an observer moving through 'space' we are to remember that there is an intimate connexion between space and the observer, and that 'space' may be influenced by the motion of the observer, and that the observer finds that his measuring apparatus is

influenced by his motion through space. The key to the difficulty is to be found in this peculiarity.

In trying to look on the matter from a physical standpoint we are not encroaching on the domain of the mathematician. He is not concerned with the physical nature of the forces at work. His only concern is to formulate the laws and study the behaviour of an entity subject to certain forces which produce definite results. He is not interested in determining whether the motion he is studying is caused by gravitation, by magnetism, by 'centrifugal force,' or by any other agency. Both from the physical and the mathematical point of view the theories of Einstein present difficulties, but it would appear that these difficulties are to some extent got over by keeping in view that the 'space' concerned in the theory of relativity is a material substance whose properties are definitely determined, and which is, for all practical purposes, the ether which has played so great a part in the history of science.

H. V. GILL, S.J.

THE EPISCOPAL SUCCESSION OF ACHONRY (1219-1561)

BY W. H. GRATTAN FLOOD, MUs.D., K.S.G.

ALTHOUGH a laudable attempt was made in his *History of Sligo*, by Archdeacon O'Rorke, to pierce through the mists that obscured the succession of Bishops in the see of Achonry, yet so much new matter has appeared in various publications during the past twenty years that it is only possible now (1922) to unravel the obscurity, and to fill up various lacunae in previous lists.

As is well known, St. Nathi is regarded as the founder of the see of Achonry, or Luighne. However, my present concern is not with the early or mediæval period, but with the episcopal succession from 1219 to 1561.

Cormac (Connmach or Carus) O'Tarpey, O.Cist., was appointed Bishop of Achonry in 1219, having previously been Abbot of Mellifont. His election was apparently due to the influence of the Archbishop of Dublin (Henry de Londres), who was Apostolic Legate; and there is a letter from King Henry III to the Archbishop thanking him 'for his prudence in regard to the election.' Evidently the good Abbot did not find matters run smoothly, and so, at the close of the year 1225, he returned to his old home at Mellifont, where he died on January 15, 1226-7.

The next Bishop was Gilla Isu O'Clerigh (called Gelasius O'Derrig by D'Alton), whose rule was also short. He evidently governed the diocese from 1226 to 1230, as his *obit* is chronicled in the *Annals of Ulster* of the latter year.

Thomas O'Ruadhan (O'Rowan) is given as Bishop from 1230 to 1237; and we learn from the Ulster annalists that he died in the latter year, and was buried in his cathedral.

Aengus O'Clumhain (probably O'Clune, although O'Rorke says 'Coleman') was appointed Bishop in 1238, and held office for ten years. One of the few incidents of his rule is that he joined the Bishop of Killala in issuing a sentence of suspension and excommunication against John de Frusinon, the Papal Collector. This sentence was, by a mandate of the Pope, dated March 16, 1248, ordered to be revoked. Seven months later, on October 12, the Pope wrote to the Archbishop of Tuam to receive the resignation of Bishop O'Clune, and to have him assigned a suitable pension, also ordering the Chapter of Achonry to proceed to the canonical election of a successor. Accordingly, the Bishop returned to the Cistercian Abbey at Boyle, where he became a monk, and ended his days, 'worn out with age and infirmities,' in 1263-4.

From the *Calendar of Patent Rolls* it appears that a licence for election was issued by the King on February 14, 1251, but previously the Chapter had canonically elected Thomas O'Macken (O'Rorke calls him 'O'Meehan'), whose election had been confirmed by the Archbishop of Tuam, and hence a compromise was effected, by which the derogation of the King's authority was settled amicably. Some years later, owing to various exactions by the English, Bishop O'Macken excommunicated the officials ('drowning their candles') in 1256, but a settlement was come to on March 15, 1257, whereby the Bishop was confirmed in the fourth part of the tithes of his diocese. This prelate died in April, 1265, and on June 1 the Dean and Chapter got licence to elect, with the result that, in April, 1266, the election of Denis O'Macken (Archdeacon of Achonry) received the royal assent, and the temporalities were restored. At the time of his election, the see was stated to be worth but 20 marks yearly. Bishop O'Macken (erroneously called Thomas by the Four Masters) died in November, 1285, and was buried in his own cathedral.

On April 29, 1286, the Dean and Chapter got licence to elect a Bishop, and Benedict O'Bragan received the majority of votes. Under Bishop O'Bragan the revenue of

the diocese slightly improved, and in the Taxation of 1306 it was valued at 25 marks a year. The death of this Bishop occurred on March 19, 1312,¹ and on May 1, the Dean and Chapter got licence for a new election, with the result that a certain David of Killeany was duly elected. His temporalities were restored on August 1.

Of a surety, David of Killeany was destined to rule the diocese of Achonry in very troubled times. The Bruce debacle was only one item in the upheaval of the early fourteenth century. The O'Haras and the O'Garas were chief princes of Luighne and Gailenga until the first quarter of that century, but in 1335 Richard de Burgo was practically ruler of the greater part of the district. We have seen that the revenues of the see were very scant at this period, and hence it is not surprising to learn that in 1327 the English monarch had petitioned 'that the three sees of Achonry, Annadown, and Kilmacduagh ought be united to Tuam.' From the *Calendar of Papal Letters* it appears that on July 31, 1327, this union had been approved of by Pope John XXII; but, on June 30, 1330, the Pope, as the result, doubtless, of a protest from the Bishop of Achonry, commissioned the Bishop of Killaloe, the Abbot of Rattoo, and the Franciscan Guardian of Clare-Galway to carefully inquire into the exact status of the four sees, and to report faithfully as to the expediency, or otherwise, of uniting the three sees to Tuam. It looked as if the Archbishop of Tuam (Malachy MacHugh) was anxious for the union, and he had actually deprived Thomas, Bishop of Annaghdown, of his see. However, although the union of the sees was decided on, nothing was done at the time, and David died in 1344-5. Three years later the Archbishop of Tuam died of the plague, in 1348. David's obituary in the *Annals of Loch Cé* describes him as 'Bishop of Luighne.'

English law had steadily disappeared in the province of Tuam between the years 1325 and 1345, except in the towns of Galway and Athenry; and the Achonry Chapter,

¹ *Calendar of Pipe Rolls.*

after the death of David, accepted the nomination by the Pope of Nicholas O'Hara, O.Cist., Abbot of Assaroe, who had been consecrated in Rome by Talleyrand, Bishop of Albano. His Bull of provision is dated 11 Kal. Nov., 1348.

Bishop O'Hara (who had been dispensed *in defectu natalium* as Abbot of Assaroe in 1345) ruled Achonry from 1348 to 1373, and proved himself an able ruler. His name is variously spelled in Papal documents as Ohedra, Ohedran, and Ohedram, but I rather think that he was one of the powerful clan of O'Hara. Dissensions prevailed in the diocese until his death in 1373, after which the Pope provided an English Dominican Friar, William Andrew, O.P., for the see (16 Kal. Nov., 1373).

Bishop Andrew¹ only ruled for six years (living most of the time at Avignon), and was then translated, in 1380, to the more important see of Meath. His successor in Achonry was Simon, an Englishman, who was an absentee, and who continued to act as suffragan Bishop of Ely from 1381 to 1393.

Bishop O'Hara ruled from 1380 till his death in 1396. He imprudently joined the forces of MacWilliam Eoghter against John O'Hara in a battle, and, according to MacFirbis, was unfortunately wounded mortally (his horse was killed) by John de Exeter's son. His successor was Thomas MacDonough (called MacMorrissey, by the Four Masters), whose rule only lasted two years. The *Annals of Loch Cé* chronicle his obit under the year 1398, as follows: 'Thomas, son of Maurice Mac Donnchaidh, Bishop of Achadh-Conaire, died.' It will be noted that the old designation of 'Bishop of Luighne' is dropped, and henceforward is replaced by the title of 'Achadh Conaire' (Achonry).

Brian (Bernard) O'Hara was Bishop from 1399 to 1409. The Four Masters chronicle his death thus: 'Brian, the son of John O'Hara, Bishop of Achonry, died after the victory of Uinction and Penance,' in 1409. He had as

¹ Rev. Dr. Healy, the Protestant historian of Meath, incorrectly says that Bishop Andrew was translated from Aghadoo.

successor Manus O'Hara, whose provision by the Pope is dated April 14, 1410. His name appears in the Papal Letters as 'Magonius Chadran,' but the latter portion is clearly a scribal error for Ohadra, or Hara, who was, at the date of his promotion, a Canon of Achonry. Curiously enough Archdeacon O'Rorke was content to leave the surname of 'Chradran,' adding that it was 'some Irish name mutilated.' This Bishop acted as Apostolic Delegate in an official inquiry against the Bishop of Kilmore, in 1412. His death occurred two years later, in 1414, whereupon the Pope (John XXIII) provided a Dominican Friar, Laurence Peter Jacopini, O.P., as Bishop, on July 6, 1414. This prelate's name is variously written 'Jacopini' and 'Jacobini,' de Burgo and Harris giving the former, but it is doubtful if he accepted the provision, and he probably resigned almost at once.¹ His successor was Donnchadh O'Hara, who acted as Bishop from 1415 to 1424.

On April 12, 1424, Pope Martin provided Richard Belmer, O.P., as Bishop. It would appear that this prelate was consecrated at Rome, previous to which he paid the accustomed tax on the following 29th of May. However, from whatever cause, Bishop Belmer did not take over possession of his diocese, and he continued to act as suffragan of Worcester from 1425 to 1430.²

Manus *ruadh* O'Hara was Bishop from 1430 till his death in 1435. His obit is thus chronicled by the Four Masters at the latter date: 'The red Bishop O'Hara, Bishop of Achonry, died.'

Thady O'Daly, O.P., was provided by the Pope as Bishop of Achonry, on September 3, 1436. De Burgo and others, including Archdeacon O'Rorke, incorrectly give his name as Nicholas, but it is distinctly given as Thady in the Papal Letters. Possibly, however, Nicholas may have been his name in religion, and he is described as 'a man distinguished for many virtues.' He ruled from 1436 to 1442, though no details of his episcopate have come down.

¹ De Burgo tells us that this friar died in 1442.

² The Pope dispensed Bishop Belmer to take benefices in England.

O'Rorke gives a certain Thady as successor to 'Nicholas O'Daly,' but, as has been seen, there was but the one Bishop Thady.

On Thady O'Daly's death, the Pope provided another Dominican Friar, James Blakedon, O.P., to the see of Achonry, but this prelate, after seven years' rule, found the troubles so great that he accepted an English benefice in 1448. It is alleged against him that his ignorance of the Irish language was a serious impediment to the successful carrying out of his episcopal functions, and the Pope, on October 14, 1449, appointed Cornelius O'Mochain, O.Cist., Abbot of Boyle, to administer the see, at the same time dispensing him to take over the episcopal office, notwithstanding his illegitimacy. In the following year (August 7, 1450) the Pope permitted Bishop Blakedon to hold an additional benefice, as well as the churches of Achonry and Stockton (diocese of Salisbury); and on February 7, 1453, he was translated to the see of Bangor.

Bishop O'Mochain's episcopacy is memorable for the introduction of the Franciscan Friars of the Third Order to Achonry. Archdeacon O'Rorke was unaware of the exact period when the Friars acquired the Friary of Court, generally known as 'Court Abbey,' merely remarking that 'it may, perhaps, be referred to the fifteenth century.' From the *Calendar of Papal Letters* we learn that on October 5, 1453, Pope Nicholas V wrote to Bishop O'Mochain confirming to Andrew O'Clune, the grant of Lord John O'Hara (Ohadra), Lord of 'Campolagruin,' to the Brothers of the Third Order, namely, two quarters of land at Arduabair (Ardower) and Inismard, and a place called 'Cuairtwelleag' or Court—originally founded by O'Clune in 1441.

It would appear that Bishop O'Mochain had been consecrated at Rome, in 1448, but there was some irregularity, inasmuch as no mention was made of Bishop Blakedon's provision, and hence, on February 12, 1452, Pope Nicholas V wrote to the said Cornelius, absolving him *ad cautelam* from all sentences of excommunication, etc., incurred by

acting as Bishop, and providing him anew to the church of Achonry.¹

Archdeacon O'Rorke says that Bishop O'Mochain 'held the see to 1472, in which year he died,' but it is certain, from the *Papal Registers*, that on September 2, 1463, Brian O'Hara (son of Bishop Manus *ruadh* O'Hara), Dean of Achonry, was provided by Pope Pius II as Bishop. This Brian had, on July 4, 1463, been absolved by the Pope from any guilt incurred in endeavouring to defend a castle built by his father and which had been usurped by John O'Hara and his son Rory, in which defence 'two laymen and a soldier of Rory's were killed in the Dean's presence.'² The Bishop's brother, William *riabhach*, died in 1476,³ whose son Diarmuid was killed by the sons of O'Hara *buidhe*, in 1482.⁴

In 1473 Robert Wellys, O.F.M., was provided to the see of Achonry, and was duly consecrated as such, at Rome, in the church of the English Hospital, by the Archbishop of Malta. However it is doubtful if he ever entered on possession of his see. Probably he may have been appointed on a false report of the death of Bishop O'Hara, and this is the more likely, inasmuch as the latter's death is chronicled in 1488-9. O'Rorke, therefore, is scarcely correct in including a second 'Bernard' as Bishop of Achonry, in succession to Bishop Wellys.

John de Buclamant (the name is also written 'Bustimant'), a Spanish Trinitarian, who is said to have been 'Preceptor of the Convent of St. Catherine at Toledo, of the Order of the Trinitarians for the Redemption of Captives,' is given by O'Rorke and Knox as having been provided to the see of Achonry on September 23, 1489. But if this provision is taken from *Noticias Historicas del Order de la Santissima Trinifad Redempcion de Cantivos en Inglaterra, Escovia y Hibernia*, published at Madrid in 1714, it may be looked on with very grave suspicion, as

¹ *Calendar of Papal Letters*, vol. x.

² *Ibid.* vol. xi. p. 646.

³ *Annals of Loch Cé*, ii. 177.

⁴ *Ibid.* ii. 181.

that work has been proved utterly unreliable in many of its statements.

According to Harris's *Ware*, a certain Richard or Thomas FitzRichard succeeded to the see of Achonry in 1490, and died in 1492. Theiner has no hint as to either of these two prelates. Therefore the next definite link in the episcopal succession is that of Thomas Ford, an Austin Canon of the Abbey of St. Mary and St. Peter, at Bodmin (diocese of Exeter), who was provided to the see on October 13, 1492. Yet it does not appear that this prelate ever entered on possession, and certain it is that he was Prior of Huntingdon in 1496: indeed the social state of the diocese of Achonry all through the fifteenth century was most unsettled, owing to continued strife and warfare.

In 1499 Thomas O'Connellan appears as Bishop of Achonry, but no records of his rule have come down—fact, neither Theiner nor Brady include him. However, from Cardinal Moran's article,¹ it seems most likely that Bishop O'Connellan ruled from 1499 till his death in 1508; and, in my opinion, the following entry from the *Annals of Loch Cé* is decisive: '1508. The Bishop of Achadh-Conaire, that is, Thomas O'Conghalain, died.'²

Soon after the death of Bishop O'Connellan the Pope provided Owen (Eugene) O'Flanagan, O.P., to the vacant see. O'Rorke gives the date of his provision as 'January 22, 1508,' but the true date is January 21, 1509. De Burgo, in his *Hibernia Dominicana*, quotes from Bulls concerning Bishop O'Flanagan, who was consecrated at Rome, and was furnished with commendatory letters to Henry VIII. Scant details are forthcoming as to his episcopate, but it appears that a certain Cormac signs as Bishop of Achonry at a Synod held in the year 1523. This Synod was held at Galway, under the presidency of Archbishop Thomas O'Mullaly, and Cormac signs his name thus: 'Cormacus Episcopus Akadensis manu propria.' This Bishop died about the year 1529, and had as successor Owen or

¹ I. E. RECORD, February, 1865.

² ii. 209.

Eugene, O.P., who held the see in 1530—having been appointed thereto by the Pope. His surname was O'Flanagan, and it is not unreasonable to assume that he was the same who had been provided to Achonry in 1509. But, unless there were two prelates named Owen O'Flanagan, both Dominican Friars, in succession, there is nothing improbable in assuming that Owen's episcopacy really lasted from 1509 to 1546. Anyhow, the death of the Bishop of Achonry, in 1546, left a vacancy, which was soon after filled up by the appointment of a distinguished Irish Austin Canon, Thomas O'Fihily, or Field, Abbot of St. Michael's, Mayo, and Rector of Delgany, in the diocese of Dublin.

The wording of the consistorial record is decisive as to the surname of his predecessor, which is given as 'Eugene O'Flanagan, *bonae memoriae*.' O'Rorke gives the date of the Papal provision as June 15, 1547, but Maziere Brady, whom he quotes from, gives '15th of January, 1547,' and adds that O'Fihily was permitted to hold his abbey *in commendam*. After a rule of eight years he was translated to the see of Leighlin, on August 30, 1555. According to the Brief of Translation, Bishop O'Fihily was 'a professed friar of the Austin Hermits'; and Herrera, in his *Alphabetum Augustinianum*, includes him as a member, but, apart from other reasons, the Superior of an Austin Friary was never called 'abbot,' and it is certain that the Abbey of Mayo belonged to the Austin Canons.

After the translation of Bishop O'Fihily to Leighlin, the Pope appointed Cormac O'Coyne to Achonry in 1556. This prelate was a friar, but while Maziere Brady, in his *Episcopal Succession*,¹ calls him a Dominican, Father David Wolfe, S.J., the Papal Commissary in Ireland, calls him a Franciscan—'of the Order of St. Francis.' Bishop O'Coyne's rule did not extend much over four years, as his death took place in 1561.

It is distinctly to the credit of Father David Wolfe, S.J., that he recommended Owen O'Hart, O.P., to the Holy See, as a fitting ruler of the vacant see of Achonry, for, assuredly, the Provincial of the Irish Dominicans was

an admirable choice. Archdeacon Lynch tells us that O'Hart was a nephew of his predecessor, O'Coyne, and no doubt he is a good authority.

The following extract from the letter of Father David Wolfe, S.J., dated from Limerick, October 12, 1561, to Cardinal Moroni, and sent by Donal MacCongail (MacConwell or MacMonigle), is convincing proof of the outstanding merits of Owen O'Hart, O.P. :—

Father Andrew Crean is accompanied by another Dominican, Owen or Eugene O'Hart, a great preacher, and a man of exemplary life, zealous for the glory of God. He lived for eight years in Paris, and I am of opinion (though he knows nothing of it, and goes thither on a quite different errand) that he would be a person well suited for a bishopric. And, should anything happen to Father Andrew (for accidents are the common lot of all) Father Eugene would be a good substitute, although the present Bishop did not resign in his favour. Should it please God, however, to preserve Father Andrew and to have him appointed to the see of Elphin, Eugene might be appointed to the see of Achonry, which see is now void by the death of Cormac O'Coyne, of happy memory, of the Order of St. Francis. The Cathedral Church of Achonry is at present used as a fortress by the gentry of the neighbourhood, and does not retain one vestige of the semblance of religion; and I am convinced that the afore-said Eugene, by his good example and holy life, and with the aid of his friends, would be able to restore to its proper uses that church, even as Archbishop Christopher [Bodkin] has done with Tuam.

Three months later, on January 28, 1562, Owen O'Hart, then an Irish representative at the famous Council of Trent, was duly appointed Bishop of Achonry, and having been consecrated, and having taken part in the Council, returned to his see. Between the years 1565 and 1595 Bishop O'Hart did his best to counter the insidious attacks of the Protestants in his diocese, and, in 1587, he promulgated the decrees of the Council of Trent.

It is only within the province of the present article to deal with the episcopal succession of Achonry from 1219 to 1561, but it is well to note that Elizabeth did not dare to set up a Protestant Bishop of Achonry till after the death of Bishop O'Hart, whose long episcopate lasted from 1562 to 1603. The good Bishop lived to be a centenarian, and he was buried in his own cathedral church of Achonry, on the Gospel side of the high altar, early in 1603.

W. H. GRATTAN FLOOD.

THE KINGDOM OF GOD IN THE OLD TESTAMENT

BY REV. P. P. McKENNA, O.P.

THE doctrine of the kingdom of God, or the kingdom of heaven, was fundamental in the teaching of our Divine Lord, so much so indeed that many of the parables were given by Him to exemplify one phase or other of the doctrine of the kingdom. When the Precursor, John the Baptist, came to prepare the way for his Master he began by an appeal to the Jews to prepare for the kingdom : ' Do penance, for the kingdom of heaven is at hand ' (Matt. iii. 2). Our Lord Himself, at the very beginning of His public ministry, laid special emphasis on the same doctrine. It was a central point in His Gospel, and certainly for His hearers it was ' Good News ' ; for its coming meant the realization of their dreams, and the fulfilment of that long-hoped for event which would mark a turning-point in Jewish history. This indeed was true of the Gospel, but not in the way anticipated by many of the Jews.

Before entering upon a discussion of this question it is interesting to note that while St. Matthew—whose Gospel has been styled the Gospel of the Kingdom—nearly always uses the phrase *Kingdom of heaven*, St. Mark and St. Luke, and other authors of the New Testament, use invariably the expression *Kingdom of God*. Our Lord may have used either expression, but the words *Kingdom of heaven* are better adapted to the phrasing of the Lord's Prayer. It is not unlikely that the expression *Kingdom of heaven* was a current one in Rabbinical teaching, especially as the Jews were accustomed to consider heaven as the seat of

the divine Majesty. To the Jewish people also the name of God was so sacred that the substitution of heaven for God is quite intelligible on the lips of our Divine Lord. St. Mark and St. Luke, writing for Gentile converts, might conveniently substitute *Kingdom of God* for *Kingdom of heaven*, so that the expression would be more intelligible to those for whom they wrote. On the other hand, Weiss¹ and Holtzmann² think that the phrase *Kingdom of God* was the original expression used by Our Lord. The matter is not, however, of great importance as both expressions convey the same idea. But it is well to note in passing that the term *kingdom*, like the Greek βασιλεία and Semitic *malkuth*, is often used to signify the royal power itself, or sovereignty, rather than the people or territory over which it is exercised, and that while the phrases *Kingdom of God* and *Kingdom of heaven* may seem strange to us when we meet them for the first time in the description given us of the opening phase of Our Lord's ministry they were not so to the Jews. To them the terms were familiar, and perhaps especially so at the time of Our Lord's coming. To realize this fact it is necessary to examine the development of the doctrine as it existed in Jewish history and tradition.

It seems natural that God, Who is Creator and Sovereign Lord of all things, should be styled Monarch and King of the universe. His unlimited power is described for us in the opening pages of the Sacred Scripture, where the inspired writer notes in detail the works of creation. In the Book of Genesis He is represented as the Author of life, and even formless matter is made subject to His control. This could not be so were He not Creator of all things, animate and inanimate. It is not without reason, therefore, that the authors of Holy Writ style Him King of the earth: 'Sing praises to our God, sing ye: sing praises to our King, sing ye; for God is king of all the earth' (Ps. xlv. 7, 8). The prophet Isaias, referring to this universal

¹ *Lehrbuch der biblischen Theologie*, VI ed. p. 580.

² *Lehrbuch der Neutest. Theologie*, i. 191.

dominion, bases it on the work of creation : ' O Lord of hosts, God of Israel, who sittest upon the Cherubims, thou alone art the God of all the kingdoms of the earth. Thou hast made heaven and earth ' (Is. xxxvii. 16).

While all things are by a universal law subject to God, man alone of the creatures of earth owes Him allegiance as a rational being. He alone in the visible creation is gifted with free-will and can, therefore, serve God or refuse to serve Him. If this is true in the order of nature it is even more so in the order of grace. But when raised to a supernatural state, man refused to give God that willing service by which he could have experienced all the sweetness of divine mercy. By sin he drew down upon himself those penalties by which God can coerce even the disobedient to an unwilling submission. But in man's case it pleased Him to temper His justice with mercy, and so in the Garden He thus spoke to the serpent : ' I will put enmities between thee and the woman, and thy seed and her seed : she shall crush thy head, and thou shalt lie in wait for her heel ' (Gen. iii. 15). It is the kingdom here insinuated or promised for the first time, and which was to reach perfection under Christ that forms the subject of this article. It is a sovereignty differing from that which God claims as Author of nature. It is the kingdom of grace through which, when perfect, Christ was predestined to overthrow the kingdom of Satan. Its perfection, however, depends so much on our correspondence with God's will that we are asked to say in the most excellent of all prayers : ' Thy kingdom come, Thy will be done on earth as it is in heaven.'

In the supernatural order, as in the natural, God's work seems slow. Time may appear long to men, but it is not so to God. In governing His creatures, and aiming at their perfection, He submits them to laws of development which, while showing forth their graded perfection, manifests at the same time His own wisdom and power. We have abundant examples of this throughout nature. There is the manifest expression of a law in the ordered

growth of bud and leaf and tree. But nowhere is this law of evolution more marked than in the unfolding of the divine plan in the economy of grace and Redemption. When God called Abraham away from his native land, He gave him at the same time a promise by virtue of which He laid the foundations of a kingdom, which through many vicissitudes, was to grow and develop and yet remain true to type until a time came when the universal kingdom of the Messiah should rise from it. That Our Lord did not come to destroy this kingdom but to perfect it, may be seen in the promise made to Abraham: 'In thee shall all the kindred of the earth be blessed' (Gen. xii. 3). At first the perfection of this work was secured by a process of segregation, which was introduced, although not in a formal way, immediately after the Flood. The extraordinary law of supernatural selection, begun with Noe and continued in the descendants of Sem, was finally narrowed down to the family of Abraham. To Isaac and Jacob God renewed the promises previously made to the 'Father of the faithful.' The twelve tribes were prepared for the fulfilment of their high destiny by a strenuous discipline; and although the greater portion of their time in Egypt may, from a temporal point of view, be looked upon as one of arrested development, it was not so in the truer and more spiritual sense. The Israelites were there prepared for their future mission, begun under Moses, and continued during the period of the judges, kings, and prophets.

The whole period of early Jewish history while bearing intrinsic evidence of truth possesses besides a deep spiritual significance. This is especially so of the Exodus, which serves in a remarkable way as a type of what God is prepared to do to bring His children from the spiritual bondage of sin to the true Land of Promise. But the immediate fruit of the Egyptian oppression and the subsequent Exodus was the preparation of a people in whom a kingdom of God and true Theocracy could be realized. It was a Theocracy based on a contract made between God and

the Hebrews, and which served to unify both the political and religious consciousness of the Jews. Through circumcision they became, at the same time, children of the Jewish nation and children of God : ' And I will take you to Myself for My people, I will be your God ' (Ex. vi. 7). We have proofs of this union in many parts of Sacred Scripture : thus David could say when he fled from the face of Saul : ' They are cursed in the sight of the Lord who have cast me out this day, that I should not dwell in the inheritance of the Lord, saying : Go, serve strange gods ' (1 Kings xxvi. 19). In a like spirit Ruth said to Noemi : ' Thy people shall be my people, and thy God my God ' (Ruth i. 16).

God had given the Israelites not only commandments, moral and religious, but also laws to guide their political and social life. He, in consequence, assumed the prerogatives of a temporal monarch, so that the constitution rightly received the name of a Theocracy. But the relationship of the people to their God was not merely that of creatures to their Creator or of subjects towards a temporal sovereign, the relationship was based on grace, and, if limited to the Hebrew people, it was because of a divine purpose. The Theocracy was a fitting preparation for the future Messianic kingdom ; hence the supernatural ordinances, purifications, and sacrifices imposed upon the Jews. The people were to keep God's statutes. He is represented as a God of mercy and forgiveness (Ex. xxxiv. 6). He is holy and invites the people to holiness (Lev. xix. 2). They, on their part, must be faithful to the Covenant, and be on their guard against idolatry (Deut. iv. 23).

The Jewish kingdom, at once national and Theocratic, contained within itself the germs of another and greater kingdom, which could not be limited by national boundaries. The temporal and spiritual elements within the Hebrew dynasty were not so united as to preclude the formation of another kingdom for which it prepared the way, and into which should enter children of Abraham, not, indeed, according to the flesh, but according to the

spirit. For this reason it can be truly said of it : ' It is the spirit that quickeneth ; the flesh profiteth nothing.'

Considering the destiny of the Jews, it is not surprising to find their history unique. Knowing it we can understand why the people were forbidden social intercourse with neighbouring nations. The latter might boast of the greatness of their national gods, and of the renown of a mythological past, but Israel alone held glorious hopes for the future. She alone anticipated, while others reflected, and to keep her hopes steadfast isolation was imperative. Besides, it is historically true that the Israelites were strongly inclined to idolatry, and especially to the heathenish worship peculiar to other Semitic peoples. Jahveh, though king of the earth, was to many of them no more than a national deity. It required, therefore, continued revelation from God, or a frequent manifestation of His power, to restrain them from worshipping the gods of other nations. This was especially so during those periods of national stress when, from one reason or another, they were strongly tempted to consider other national gods of more service to them than Jahveh. At the same time it must be said that the spiritual pulse never ceased to beat in Israel, and that a remnant, at least, were always found faithful. Besides, when they came into contact with other nations it was generally in war, and in this way did God use them in order to manifest to the Gentiles His wisdom, omnipotence, and justice : ' Egypt, Assyria, and Babylon were but vast stagnant morasses on each side of the river.' The river of life flowed smoothly between them until it merged into the Messianic kingdom. Then, from the East and the West many would come to share in its fruits. Yet it is sad to think that synchronizing with the call of the Gentiles the Jewish nation was so circumscribed in its outlook regarding the universality of its destiny that, when Christ came, the people as a whole were unprepared for His teaching or unwilling to receive it.

To point to a particular period in Jewish history when the revolt began which ultimately led to the breach

between God and the Hebrew nation is not an easy matter, even for the exegete and historian. But difficulties existed from the beginning. We see them in repeated acts of unfaithfulness, insubordination, and even idolatry. The government of the kings, although in accordance with divine plan, was introduced in circumstances which were not pleasing to God, and Saul, as a result of his disobedience, brought disaster on himself and on his people. From David, it is true, the promised Messiah was to spring, and David's rule served as a true type of that of Christ. As a consequence, the idea of the Davidic connexion with the future King became a central one in Jewish psalm and prophecy. Yet, during David's reign and the subsequent reign of Solomon, and much more so under the divided monarchy, the signs of ultimate failure were already appearing. This failure, spiritual as well as temporal, was yet far from falsifying the persistent prophecy that a descendant of David and a King much greater than he should yet occupy his throne (cf. Pss. ii., cix.; 2 Kings vii. 12). This royal One is the branch of the root of Jesse (Is. xi. 1). In Him God will raise up to David a just branch (Jer. xxiii. 5, 6; xxxiii. 15, 16). In His day God will pour out upon the house of David, and upon the inhabitants of Jerusalem, the spirit of grace and of prayers (Zach. xii. 10). Born in Bethlehem, the city of David (Mich. v. 2), He will visit, as a King, the daughter of Sion and the capital city of David's kingdom (Zach. ix. 9). His own kingdom shall be holy, spiritual, universal, and everlasting (Gen. xlix. 10; 2 Kings xxiii. 5; Dan. vii. 14). In the prophecy of Isaias we have the following striking reference regarding Him : 'For a Child is born to us, and a Son is given to us, and the government is upon His shoulder : and His name shall be called Wonderful, Counsellor, God the Mighty, the Father of the world to come, the Prince of peace. His empire shall be multiplied, and there shall be no end of peace : He shall sit upon the throne of David, and upon his kingdom : to establish and strengthen it with judgment and with justice, from henceforth and forever : the zeal of

the Lord of hosts will perform this' (Is. ix. 6, 7). Well, indeed, might St. Peter cry out: 'Ye men, brethren, let me freely speak to you of the patriarch David, that he died and was buried: and his sepulchre is with us to this present day. Whereas therefore he was a prophet, and knew that God had sworn to him, with an oath, that of the fruit of his loins one should sit upon his throne. Foreseeing this, he spoke of the resurrection of Christ' (Acts ii. 29-31).

No nation, we can truly say, ever had its hopes so based on a definite and specific promise as were those of the Israelites on the promise of a future Messiah and His descent from David; hence St. Matthew may be said to give a brief synopsis of Jewish history when, in the beginning of his Gospel, he writes: 'The book of the generation of Jesus Christ the Son of David, the Son of Abraham' (Matt. i. 1). Christ, a scion of the house of David, was to introduce among men a reign of justice and peace. His rule would be identical with that of God Himself, for the unity of the future King with the Godhead was to transcend the limits of ordinary humanity (Is. ix. 6). At the same time He was to be a true man and the suffering Servant of Jahveh. Born into this world, He would not only bring about by His suffering and death the reconciliation of men with God, He would also make expiation for their sins (Is. liii.). Yet, according to Daniel, the sovereignty of this Son of Man is without end, succeeding that of the beasts, types of world power, whose duration is temporal (Dan. vii. 11-14). Thus were the hopes of the Jewish people sustained by their inspired writers, and their religious experience intensified by repeated assurances of the coming of an everlasting kingdom (cf. Wisd. iii. 8; Tob. xiv. 6-9; 1 Macc. ii. 57).

As time passed it began to be realized that the promises could not be verified within the Jewish Theocracy itself. The people were warned by their prophets, especially the later ones, that the Hebrew Theocracy could not endure (cf. Ezech. xvii. 22-24). Besides, when the nation was

overthrown and the people carried into captivity their experiences in a strange land helped to extend their field of vision, and to prepare them for the spiritual breadth of outlook required by the later prophets. In Daniel, as we have seen, the new kingdom was to be universal and everlasting; even the time of Christ's coming was foretold by him (Dan. ix. 24-26). The prophet Aggeus reminded the people of the near approach of the Messiah and His glorious kingdom. He thus writes: 'Yet one little while, and I will move the heaven and the earth and the sea and the dry land. And I will move all nations: and the Desired of all nations shall come: and I will fill this house with glory: saith the Lord of hosts' (Ag. ii. 7, 8). The prophet Malachy foretold not only the call of the Gentiles and the pure sacrifice to be offered up in the new kingdom, but also the approach of the King Himself: 'And presently the Lord whom you seek, and the Angel of the testament, whom you desire, shall come to his temple. Behold he cometh, saith the Lord of hosts' (Mal. iii. 1).

In treating of the kingdom of God in the Old Law it is scarcely necessary to distinguish the Jewish Church from the nation. The Theocracy extended to both, and Moses was the law-giver in matters civil as well as religious. Church and State were therefore inseparably blended, and the Covenant made with God was not only for the nation but for individuals, both as citizens and as members of the Church. Neither judges nor kings could abrogate, by their own authority, a single law of the original code, while in judicial matters the guidance and consent of priests or prophets were deemed essential. On the other hand, idolatry was a crime against the State and punishable by the civil magistrates. Temporal punishment was inflicted for a breach of the ceremonial as well as of the civil law, and not only individuals in their private capacity, but even the nation as a collective body, were liable to reward or punishment. The solidarity of the Jewish nation and Church as one complex whole was, therefore, recognized in the divine ordinances; hence the Prophet Isaias could

truly identify the vineyard of the Lord of hosts with the house of Israel (Is. v. 7). In like manner the Psalmist wrote of the Jewish Church and nation : ' Thou hast brought a vineyard out of Egypt. Thou hast cast out the Gentiles and planted it ' (Ps. lxxix. 9). In the prophecy of Isaias, the reprobation of the Jews was foreshadowed under the figure of a vineyard : ' I looked that it should bring forth grapes and it hath brought forth wild grapes ' (Is. v. 4). When, therefore, Our Lord spoke the parable of the vineyard, the scribes and Pharisees applied it to themselves (Matt. xxi. 33-43 ; Mark xii. 1-12 ; Luke xx. 9-19).

A number of causes can be assigned which led to the rejection of the Jews, and the transmission of the vineyard to the care of others. The same causes go far to explain why, when Our Lord came on earth, ' His own received Him not.' The letter had destroyed the spirit. The synagogue had risen, and helped in some ways to continue the divisions among the religious sects. The scribe had become unduly important, and not only the throne but the high-priesthood had been usurped. Pharisaic legalism and Sadducean scepticism had contributed much to the spiritual decadence of the people and to the narrowness of their religious outlook. To help to undo the evil, and to restore the lost heritage of the Jews was the work of John the Baptist. His threats and predictions served to remind the people of their failure in putting into practice the teaching of the prophets. They must prepare for the kingdom by penance. The conditions required for embracing it were not political, but spiritual. The kingdom was at hand, and was intended for those who are children of Abraham, not according to the flesh, but according to the spirit. Thus only could a universal kingdom be realized, and God's promises to the Patriarchs verified.

P. P. M'KENNA, O.P.

THE CHURCH IN CZECHO-SLOVAKIA

BY REV. JOHN RYAN, S.J., M.A.

DURING the four years of Czecho-Slovakia's existence as an independent nation much has been said and written on the condition of the Church within its borders. Readers of the Protestant and rationalist Press were led to believe that the country had rid itself of the darkness of Catholicism as completely as it had rid itself of the tyranny of the Hapsburgs; had, indeed, merited its place in the cultured modern world by an enlightened act of national apostasy. Catholic writers, angered by the evil principles and by the exaggerations of their adversaries, tended to place excessive reliance on dry figures from the official census records, to gloss over the difficulties against which the Church in Czecho-Slovakia is struggling, and thus, speaking generally, to paint ecclesiastical conditions in that land in too roseate a hue. In the following article, based on personal observation and on evidence gathered on the spot from reliable authorities, an effort is made to depict the actual situation as it really is. By way of historical background the few facts of permanent interest in the ecclesiastical development of the country are enumerated.

The most important part of the new republic is Bohemia, 'the home of the Boii,' a race which, like ourselves, could boast of a Celtic origin. The Boii were driven out or reduced to subjection by Germanic tribes about the beginning of the Christian era; but some five centuries later these Germanic peoples migrated to Bavaria, and the land they abandoned was occupied by Slavs, whose descendants are the Czechs, Slovaks and Moravians of to-day. The conversion of the country by Germanic Franks from the neighbouring towns of Passau and Ratisbon began in A.D. 845,

and dragged on for a couple of centuries. An event of especial interest is the despatch to these lands of the Slav apostles, SS. Cyril and Methodius, by the Byzantine Emperor Michael III, in A.D. 863. St. Cyril made his way to Moravia, but not, as far as can be ascertained from the documents still extant, to Bohemia; St. Methodius also took a southerly direction, and worked at the conversion of the Bulgars, so that no direct connexion between these great saints and the introduction of Christianity among the Czechs is known to history. As the Slav apostles used the Slavonic liturgy, and as from the earliest times of which we have record not the Slavonic but the Latin liturgy is found prevailing in Moravia, it may be taken for granted that their work was either insignificant or was soon thrown into the background by the more striking achievements of Latin missionaries. Under the Emperor Otto I German influence in Bohemia became predominant, but political changes in the following centuries were frequent. National differences between Czechs and Germans became intense in the fourteenth century, and had a singular consequence in the elevation of SS. Cyril and Methodius to the place of honour in the conversion of the Czechs—a place which they have retained to our own day. In A.D. 1029 Bohemia and Moravia were united, and in A.D. 1327 Silesia was added, so that the three came to be considered as a political unit. Numbers of German colonists were settled in Bohemia by King John and by his son, the Emperor Charles IV, in the fourteenth century, and their descendants, to the number of over 3,000,000, form an important part of the population of the present republic.

The end of the fourteenth century witnessed a national reaction of the Czechs against the Germans, which, under the leadership of Huss, took a revolutionary and heretical direction. The ensuing wars lasted to A.D. 1436, and were followed by a century of religious and moral decay. In such a country it was but natural that the Reformation should make headway; and it was only after long labours, in which the Jesuits played a glorious part, that the land

was saved to the Catholic Church. The wild anti-Czech and anti-ecclesiastical policy of Joseph II did the land much harm. About A.D. 1800 began the Czech national movement against the Austrians, which was to go on unabated until the end of the World War, when the country reached the goal of its ambition in complete independence.

The constituent parts of the present republic are Bohemia, Moravia, and Silesia (considered traditionally as one unit), with a mixed population of Czechs and Germans, the former a strong majority, the latter a tenacious minority; Slovakia, with a population in race and language closely akin to the Czechs; and Carpathian Russia, with a population of Ruthenians, in part Uniats, and in part members of the Orthodox Church. Religious conditions in all these territories in the years before the war were the reverse of ideal. A shortage of priests had begun to make itself felt, in Moravia to a small, in Bohemia to a great, extent—in Prague and Leitmeritz, indeed, already to a painful degree. In Bohemia, too, the gradual defection of the people from the Church had reached alarming proportions. In the industrial regions the workers had developed into incurable materialists, Marxian Socialists of the worst type, bitterly hostile to the Church and to Christian ideals. The peasantry in many places had shared the fate of the peasantry of France, and had fallen victims to the pest of Indifferentism, so that the churches were empty, and not merely the sacraments of Confession and the Eucharist, but those of Baptism and Marriage, utterly neglected.

The trait of opposition to the government, just because it is the government, which lies in the Czech character, came to fullest development in the bourgeois classes, who knew no bounds in their hostility to Vienna, and, because Vienna was Catholic, to the centre of Catholicism, Rome. The enemies of the Church found their best support in the primary school teachers, who were atheist almost to a man. A passionate nationalism, illogical in identifying the Hapsburgs with the Church, was the starting-point for most of these. Fuel was added to their fury by the native

literature; for the outstanding Czech writers, headed by the novelist, Jarásek, are almost all free-thinkers and enemies of the Catholic faith, and by the irreligious professors who ruled supreme in the State institutions where the teachers got their professional training. It is sad to think that such teachers, enjoying as they did nothing better than a mediocre secondary education, and therefore as ill-qualified to discuss the fundamental questions of philosophy and theology as to decipher hieroglyphics or calculate a solar eclipse, should have taken it on themselves to throw ridicule on the sublime truths of Christianity, and to instil by word and example the poison of unbelief into their unhappy pupils' minds. During the Austrian régime their activity was, to a certain degree, held in check. The Austrian State was Catholic, and atheist teachers, like other public officials, preferred to approach the Sacraments three times a year, as the regulations demanded, rather than endanger their salaries. If sacrilege and blasphemy were rampant they were at least kept underground, and the foulest cesspools of corruption were kept concealed by a thin veneer of righteousness from the gaze of the outer world.

Nor did the clergy always live that divine life, full of purity and holiness and good works, hidden with Christ in God, which the Church demands of her chosen ministers. There were, in point of fact, few countries where the spirit of Modernism had wrought such havoc as in Bohemia. Most of the seminarists received their ecclesiastical education at the universities of Prague and Olmütz.¹ The theological professors in these universities were, as a rule, men of sound faith and piety; but, wherever the explanation is to be sought, the same cannot be said of the students and younger clergy. The course of studies covered only four years, and, except for a few lectures of no consequence, neglected scholastic philosophy, so that the student was left with no basis on which a theological structure could be erected. In the divinity studies proper all attention

¹ Olmütz still ranks as a university with the theological as the only faculty.

was devoted to biblical problems, historical problems, questions touching the development of dogma, and similar difficulties, with the result that the student had an exhaustive if superficial knowledge of modern infidelity and a very meagre knowledge indeed of the defined doctrine of the Church. Personal holiness and zeal for souls, as priestly virtues, were considered long obsolete. The sharp encyclical of Pope Pius X against Modernism passed almost unnoticed in Czecho-Slovakia. Most of the compromised clergy, it is true, announced their submission; but the submission was a mere pretence, and when the storm had blown over they appeared again as modernistic as before. It was only the shattering events of the last few years that brought these to the parting of the ways; their decision has now been taken, and for the most part they have gone to swell the ranks of the schismatics or to add to the number of professed unbelievers among the laity.

The question of appointments to episcopal sees and to the higher positions of emolument also gave ground for serious complaint. With the exception of the archbishopric of Olmütz, where, under certain conditions, the Cathedral Chapter had the right of free election, the Government was empowered to appoint to vacant bishoprics, the Holy See reserving to itself only the right of confirmation. Almost without exception the Government insisted on two qualifications in the candidate appointed: he should be of noble birth and he should be of Austrian sympathies. It frequently happened that the Bishop elected knew little or no Czech, so that he could converse with his clergy only in a language they detested and could not converse with the people at all. Thus, while the clergy as a rule were sprung from the common people, the Bishop was an aristocrat; while the clergy were deeply national, the Bishop, by nature and education, was anti-national, so that even in the happiest circumstances an inner bond of union between the Bishop and his clergy was an impossibility. It must be said that the Bishops were generally excellent ecclesiastics and wise administrators, truly worthy of their

high dignity, and that they were treated by the clergy with the respect which was canonically their due, so that cases of serious friction were rare. But the system was so thoroughly bad that all the ablest men could do was to diminish the evils arising from it.

Worthy of notice, too, is the mediæval custom of presentation to benefices, which survived on many great estates. Where, for example, four churches were built on a large property the right of appointing parish priests and curates lay in the hands of the landlord, not of the Bishop, and the parish priests or curates thus appointed were bound to the estate, so that their only hope of advancement lay within the limits of these four churches. The landlord, too, could be arbitrary in appointing to the better endowed benefices, and cases were not unknown where a priest of thirty years' standing was passed over in favour of a young priest with high influence, fresh from the seminary. Thus here and there in forsaken country hamlets eternal curates whiled away weary years in listless grumbling and discontent. Only the nobles could be certain of advancement, for it was a sacred custom in the Austrian Church that no priest of high birth should be left for more than a few years without at least a canonry. Hence it frequently happened that, while the shepherds planned and plotted and squabbled for the fat pastures, God's flock was left to hunger by the roadside.

The general situation, then, in the years preceding the war can be summed up in a few words. The clergy were insufficient, ill-educated, superficially spiritual or openly worldly, in many instances untrustworthy in matters of faith, living in normal cases on terms of cold politeness with their ecclesiastical superiors. The teachers in the primary schools were pronounced atheists, active in propagating irreligious principles among their pupils. The same held good for the majority of teachers in the secondary schools. In both primary and secondary schools the native literature read had a bitter anti-Catholic flavour, and left the unmistakable impression that only followers

of Huss and enemies of Rome could claim the honour of being true patriots. In the Czech University of Prague, history and philosophy, as well as all other subjects where a difference of treatment could be felt, were treated from a hostile standpoint, so that the University's 5,000 students in the receptive years of early manhood were engulfed in a sea of anti-Catholic prejudice.

The outbreak of the war, with its cruel prospect of ruined homes and broken hearts, brought some days of peace to the Church; but the respite was destined to be of short duration. Suffering in a cause for which they had no enthusiasm intensified national sentiment and inborn dislike for the Austrians among the Czechs. Unpopular Bishops became still more unpopular, and even nationally minded priests appeared lukewarm to the fervid fancy of an excited people. Strangely enough, the handing over of the church bells for military purposes (in obedience to a governmental order against which the clergy had no defence) was regarded as the crowning act of clerical subservience to Vienna, and was condemned accordingly by the Czech population. Meanwhile, events of a more serious nature had multiplied themselves. Czech deserters and prisoners in Russia were organized as legionaries in 1916 to fight against Austria, a work in which Masaryk, the present President of the Republic, had a hand. Espionage to an incredible extent was going on at Prague, and rigid measures were taken to suppress it. Kramar, an important Czech leader (now a senator), was arrested, tried, and sentenced to be shot, and, according to the generally accepted account, was only saved from death by the intervention of the Pope. In 1917 Austria threatened to abolish secondary schools altogether in Bohemia, and to make the primary schools absolutely German. The situation between the Government and the Czechs was tense, even to breaking point.

The end of the war saw the end of the Austrian Empire and the realization of Czecho-Slovakia's dreams of absolute independence. Masaryk, who had worked hard for this

end in Switzerland, Italy, Russia, America, England, and France, was named President of the infant republic, and returned to Prague at the beginning of 1919. He had distinguished himself formerly, as a professor of philosophy and pedagogy at the Czech University, by his apostasy from the Church and by his violent attacks on Catholicism. A campaign against the ancient faith was soon in full swing. In the intoxication of their new freedom the people had torn down with impetuous fury all emblems of Hapsburg rule; Catholic emblems were now added, and the statues, which played such an important part in the artistic embellishment of the wonderful old imperial city, were shattered or pitched in hundreds into the Moldau.

For the first Parliament no elections were held, but the parties were allowed to increase their numbers in proportion to their strength in the pre-war assembly at Vienna. As we have seen, the Catholics in pre-war days were wretchedly organized, so that they found themselves now powerless before their enemies. Bohemia had not a single Catholic representative in the new Parliament, Moravia but four, and the rest of the country only ten. The Constitution was drawn up by a Jew, and was by no means bad, guaranteeing, among other blessings, full liberty to all religious persuasions. Unfortunately, as far as the Catholic Church is concerned, this liberality is but an illustration of the old truth that promises may well be generous where there is not the least intention of observing them. Every opportunity was taken of ignoring, evading, and indeed of openly violating Catholic constitutional rights, so that the Church found itself literally on the rack. It was decreed that the separation of Church and State should take place as soon as conveniently possible. A bill to that effect, based on the French model, has already been introduced; but it was a piece of such mean and vulgar vandalism that even its sponsors blushed to present it. In a form so radical it has certainly no hope of becoming law; what form the bill will finally take it is as yet impossible to tell.

More serious than the persecution from outside were the

difficulties which the Church had to face from within. We have seen that in Czecho-Slovakia there were abuses to be remedied ; but apart from an unsuccessful ' Los von Rom ' agitation, organized some twenty years ago by the German *Evangelischer Bund* among its fellow-Germans in Bohemia, there had been no attempt at open rebellion. The reform cry was now taken up by the Czechs, unhappily under the direction of the worst elements among the clergy. A union of priests, the *Jednota*, was formed for the whole of Czecho-Slovakia, not for any particular diocese, and proceeded to lay its demands before the Holy See. The abolition of celibacy and of the Divine Office, the use of Czech in the liturgy, and the reduction of the theological course to one year, figured on the programme to which the highest Church authority was invited to give its approval. The reply of the Holy See was charitable but decisive—all consideration would be had in Rome for local conditions, and every effort made to assist the Czecho-Slovakian Church in ridding itself of abuses ; but in what concerned the important disciplinary regulations just mentioned their observance, for the life and progress of the Church, was so necessary that no essential changes could be contemplated. The *Jednota* had thus either to submit or to continue in frank hostility to the Holy See. Many of its 700 members chose the former course, so that at its principal meeting in 1921 there were only some 300 present. These persisted in their demands ; but when informed solemnly by the Holy See that continued agitation could only bring upon them the most serious form of excommunication, the majority again gave way. At the last meeting, in June of this year, only some sixty were present, and even this small number was not prepared to face the worst. A resolution was carried declaring the *Jednota* dissolved, not, however, before the formation of a new union, with similar aims, was decided on, and the protection of the civil government invoked. The submission is thus incomplete ; but the movement is so weak and so irretrievably on the downward path that it would be a waste of time and space to consider it further.

The extreme radical wing of the clergy had meanwhile abandoned all connexion with Rome, and, aided enthusiastically by the Government, had proceeded to set up a Czech National Church. Catholic doctrine would be retained in the proposed Czech patriarchate; but the language of the liturgy would be Slav, and celibacy would be discontinued. As regards the last mentioned point, it must be said that for many, perhaps for most, of the priests concerned, it was a question of theory following practice rather than of practice following theory, a state of affairs which the imperfect sacerdotal training, the indifference of the people, the defective vigilance of the Bishops, and the influence of the neighbouring Uniat clergy contributed to bring into being.

The progress of the so-called National Church was announced at short intervals with great flourish of trumpets by the Government and by the schismatic clergy; but time was to prove that there was much more noise than actual achievement. According to the census returns, the new Church has in Bohemia a membership of 437,377 and in Moravia a couple of hundred thousand more, in all about 700,000. As, however, the chief of the census bureau, Dr. Bohac, an extreme partisan of the new sect, stooped to methods in making the returns which were branded as flagrant breaches of common honesty, the figures are only trustworthy in showing the maximum number which, on any pretext, could be regarded as belonging to the Czecho-Slovakian Church. The correct figures would probably be somewhere about half a million. Compare this with the 11,000,000 odd who still acknowledge their adhesion to the Catholic Church, and the success of the sect will be seen to be modest. It must also be mentioned that the sect began to suffer almost at once from internal disunion and soon split into two distinct branches, a conservative branch and a liberal branch. The former, which retains Catholic dogma, but has abandoned celibacy and the Latin liturgy, has an episcopal constitution and is at present governed by Dr. Pavliky, who owes his consecration to a Serbian

Orthodox Bishop. The liberal or radical group is weak on the fundamentals of Christianity, especially on the question of the Divinity of Christ. It denies the doctrine of Transubstantiation, but continues to have Mass and Eucharistic ceremonies. An effort was made to have its leader, Dr. Farsl  y, consecrated in Russia ; but the Orthodox Bishops would have nothing to do with him because of his unsound doctrine. This portion of the sect seems at the moment likely to settle down to a Presbyterian form of government.

Each sect and sub-division of a sect, whether Protestant, free-thinking, or Czecho-Slovakian, claims against all other sects and sub-divisions of sects that it and it alone is the true and genuine inheritor of the Huss tradition ; but as the Huss teaching is confined by common consent to the one point of hostility to Rome, the quarrel leaves the Catholic observer cold. Students of ecclesiastical history know that Huss also was an advocate of an extremely strict manner of life ; but that part of his doctrine being so darkly medi  val is conveniently dropped by his modern disciples.

The increase in the number of Protestants in Czecho-Slovakia since 1918 has been almost negligible. The same can be said of the increase in the Orthodox Church at the expense of the Uniats in Carpathian Russia, though the Government made determined efforts to win converts to the Orthodox group. The Czech National Church, as we have just seen, is not particularly numerous ; therefore the great majority of those who left the Catholic Church have abandoned religion altogether. The census returns give the numbers for Prague alone as 127,296, against 395,119 Catholics, and the number of those who profess no religion in Bohemia as 658,076 as against 5,216,169 Catholics.

Smarting beneath the blows which showered upon them from all sides, the Catholics in Bohemia soon began to organize a defence, happily with an honourable degree of success. The Catholic People's Party was formed, under the leadership of a priest, Dr. Skr  mek, and did good work

preparing for the elections of 1920. In Slovakia the party was led by another priest, Dr. Hlinka, but was unfortunately outwitted by the Socialists in the election campaign. The latter, like the devil quoting Scripture for his purpose, did not disdain to carry religious statues in their processions and to open their meetings most edifyingly with Catholic prayers—all this in the hope of winning votes from the simple peasantry. They succeeded perfectly. In Moravia, however, the People's Party had a real victory, so that the strength of the party in the new Parliament is 54 as against 14 in the old. Only the Social Democrats were more numerously represented, and the time came when these could avoid being outvoted only by calling the People's Party to their aid. Since last year Dr. Skrámek and another Catholic deputy have been members of the Government; the former is also a member of the inner Council of Five, which has a veto on all bills; so that the Church is assured of a certain measure of protection.

The ugliest development in the young republic has been in the matter of education. The trouble in this respect began the moment the Austrians retired. Inspectors were ordered to leave more power in the hands of the school-teachers, and as these were hostile to the Church the obvious consequences followed. The prayers customary at the beginning and end of class were discontinued; crucifixes were torn down, and in some cases thrown on manure heaps or on passing refuse carts; the Catholic salutation was forbidden under severe penalty. The powerful association in which the primary teachers were organized showed an almost satanic hatred of the Church, a fact which induced many teachers to show a more active hostility than they otherwise would have done. The success was such that one inspector over hundreds of schools could boast recently that in the whole district under his jurisdiction only eight teachers had refused to apostatise.

Religion in the days of Austrian rule had been taught two hours weekly in every class of both primary and secondary schools. It now became a voluntary subject. If

parents wished to have their children taught Catholic doctrine they had to make a special request to the school authorities. It goes without saying that means were discovered of making the parents realize how unwelcome the request was, and the children who, despite all, attended these classes were branded as 'Papishes' and, as a general rule, persecuted. In the colleges religion was dropped altogether in the two highest classes, reduced to one hour a week in the next two classes, and then only when there was a minimum in each class of twenty volunteers. In the remaining four classes the two hours a week were retained, but the attendant circumstances were often such that real heroism was demanded of the boy who would attend.

A stage on the way to complete abandonment of religious teaching has been reached in the 'Minor School Law' of recent date. According to this law, which came into force in September, 1922, those who request religious instruction may have it; the rest will be treated to a course of 'lay morality.' In addition there will be a course in 'Civics,' or the rights and obligations of the citizen, *obligatory for all classes and given by the teacher*. Theoretically the teacher is forbidden by the regulations to offend the religious feelings of any of his hearers; but the teacher being what he is, and the authorities in the State being what they are, Catholics are justified in fearing the worst. The measure was accepted by the Catholic Ministers as the only hope of retaining anything for the Church at all, a fact which shows better than any arguments the wretched state of the Church within the country.

The American sects seem to have naïvely believed that Czecho-Slovakia was just the land which a little heavenly light could transform into an earthly paradise, and no sooner was the world saved to Christianity than the Methodists, the Y.M.C.A., and the Salvation Army hurried across. The first mentioned possess a fine house with a spacious hall in one of the principal thoroughfares of Prague, and give lectures, issue pamphlets, try to find a *modus vivendi* between their own and the national sect, and otherwise

labour for the elevation of the benighted native. But the native is indifferent, and though he takes a human interest in the dollar, he does not take the smallest interest in salvation—even on ridiculously easy terms. The Salvation Army is known in Prague as the ‘Humbug Army’; the Y.M.C.A. is reported to have already suspended its activities, or to be on the point of doing so; the Methodists struggle heroically on, trying especially to get charitable institutions into their hands. As long as the dollar deity proves propitious there is no reason why they should not stay. Their presence in Prague is of course unpleasant to the Catholic priesthood; dangerous it cannot possibly be regarded.

The sky, however, remains sufficiently clouded as far as the Church in Czecho-Slovakia is concerned. The school position is bad and does not promise to improve unless the people can be roused to fight and make sacrifices for their spiritual interests. The seminaries are empty. In Prague, where at least forty priests are needed yearly to fill vacancies in the huge archdiocese, only two theological candidates have announced themselves for the coming year. In Olmütz the situation is relatively speaking better, but absolutely speaking comfortless enough. Nor need this, in the circumstances, be regarded as surprising. The Czech State is vibrant with young life and offers countless opportunities to the youth about to embark on a worldly career. The Church has nothing to offer but suffering and contempt. And suffering and contempt do not appeal to the youth who knows little of Christ and nothing of the higher ways of God’s Providence. The Religious Orders are not strong enough to fill out gaps caused by lack of secular clergy, and have indeed already in hand much more than they can do. The Benedictines have a meritorious field of labours in the German part of Bohemia; the Jesuits and the Redemptorists in Czech territory. But their numbers are none too many, and unless means are found of filling the ranks of the clergy there may be nothing left but to declare the republic a missionary country and to let it depend on the resources of Propaganda.

A process of purification in the whole life of the priesthood is also essential. Scandals have taken place in some of the older landed monasteries and amongst the secular clergy which recall the worst days of the Reformation and bring a blush to the Catholic cheek. Many of the priests who fell away had histories which it would not be edifying to relate. A recent law deprived the country clergy of the glebe land, their chief source of income, and left them dependent on a miserable dole from the State, so that some have been reduced to smuggling and other ignoble expedients for making a living. When the bill for the separation of Church and State becomes law the situation will obviously be worse, as the huge majority of the population are Catholic only on paper and would no more think of contributing to the support of their pastors than they would of attending Mass or approaching the Sacraments. The apathy of the people in religious matters is indeed hard for us, Irish Catholics, to imagine. At Prague the number of those who made their Easter Duty in pre-war days was estimated at three per cent. In a parish church in the suburbs with a big Catholic population a priest informed the writer that he said Sunday Mass for a congregation of two children (who had not yet begun to go to school) and his server. There are country churches where not five people attend Mass on Sundays. At a mission in a country district fourteen people attended; at another none at all, so that the priests had only to go forth and gather into the church for religious instruction as many children as they could. The custom has now been introduced of not beginning with the mission proper, but with a so-called preparation for the mission. This lasts ten days and has to be successful before the ordinary exercises of the mission are given. The missionary is happy if in a parish of 3,000 souls 50 or 60 attend his sermons, and 100 or 200 make their Easter Communion. There are churches in the country where for twenty years not a single parishioner has been to his Easter Duty.

Yet it would be very wrong to imply that the situation

is without hope. The annual pilgrimage to Velehrad, on the borderline between Moravia and Slovakia, was attended this year by thousands who confessed and communicated with the utmost devotion—a proof that in at least one region the simple people of the countryside have escaped the prevailing corruption. The prayers and good example of these may play a considerable part in winning back the others. Politically the Catholics have already found their feet, and their People's Party is likely to play a big rôle in Czecho-Slovakia's future. In the by-elections since 1920 they have won heavily. And in the next General Election they have everything to hope. Other organizations are developing in an equally satisfactory manner. The Catholic students at the University of Prague have gathered into three groups for the purpose of maintaining Catholic principles and seeing that they are respected in university life. They have a religious lecture once a week, apologetic lectures, social and other circles, General Communion at fixed periods, and a retreat once a year. To supply recruits for these groups the S.S.S. (*Studentske Socialni Sdruzeni*—Students' Social Guild) has been founded in the secondary schools. This association has its own paper, the *Jitro*, with 3,000 subscribers, and with the distinction of being the only student paper which, without State assistance, has managed to keep its head above water. In addition there are other Catholic student groups, one of which, the 'Eagles,' has a membership of 150,000, and all of which have for purpose the training of strong, fearless, healthy Catholic men and women, true alike to God, to the Church, and to their country. This, of course, means additional political strength for the Catholic party, and its effects are seen in a new attitude of the hostile parties towards the Church. The different sections of the Socialists are now trying to throw the blame for former persecution of religion from one to the other. Masaryk himself, whose respect for the Church hitherto may be judged from the fact that when courteously invited to attend Catholic functions he never sent even a line of acknowledgment, thought it advisable to reconsider

his policy, and in the August of this year replied to an invitation to the congress of Catholic 'Eagles' at Brno (Brünn) by regretting his inability to be present, and announcing that he was sending the Catholic Minister, Dr. Skrámek, as his representative. What an impression this change of front made in Catholic circles can be imagined. It is also certain that the influence of French Freemasonry, which hitherto has been overwhelming, cannot last eternally in the Czech Republic.

The phenomenon of an anti-national Hierarchy is, of course, a thing of the past in Czecho-Slovakia. The Government has as yet negotiated no Concordat with Rome, so that the Holy See has full liberty in appointing to episcopal vacancies. National Bishops now govern every diocese, and the clergy need no longer fear that a patriotic attitude on their part will be looked at with suspicion in high quarters. A new zeal is beginning to make its appearance among the priests. Poverty, the great purifier, has visited their homes and demanded, in many instances, cruel sacrifices; but He Who provides for the helpless things of creation and Who clothes the lily of the field in splendour will not be wanting in solicitude for His own. The small seminary under the direction of the Jesuits in German Bohemia is making good progress, and that now in process of formation at Prague, and likewise entrusted to the Jesuits, promises also to do well, so that the problem of supplying candidates for the priesthood may become, with time, less serious.

Above all, the experience of the past two years has proved that wherever there are good priests fulfilling with dogged zeal the hard duties of their high mission the churches become, as if by miracle, peopled, and the reception of the Sacraments increases to a wonderful degree. In one parish near Prague a thousand penitent souls stole quietly back to the arms of their Holy Mother; in a small country parish 300 returned during a mission; in another 400; in another all. The hand of God is not shortened in the twentieth century any more than in the early days of

Christianity, and grace has a mysterious skill in melting the ice-cold heart. Catholics everywhere will pray that the erring children of the young republic may be allowed to drink deep of the waters of divine Mercy, and find in a renewed Catholic life the foundation of their temporal and the pledge of their eternal happiness.

JOHN RYAN, S.J.

UNITY IN CHRIST

By REV. MICHEL D'HERBIGNY, S.J.

ON the eve of His death Christ gave utterance, in presence of His Apostles, to the supreme witness of His redemptive love. He asks of the Father the unity of all who shall believe in Him, 'that they may all be one, even as Thou, Father, in Me and I in Thee.'

The Father cannot but grant the prayer of His divine Son. As the debt of the world's sin has been effectively paid by the Passion of Christ, so, too, has the unity of those for whom He supplicated been assured by the prayer of Christ. On the part of God nothing is wanting. But on the part of mankind there is free-will, which may restrict the application of the merits of Christ's blood and the perfect realization of Christ's prayer. This is why the Church in her Liturgy still prays for unity—a unity that shall be co-extensive with Christ's world-embracing love.

Such a unity excludes neither diversity of gifts nor gradations of priestly functions, as the Apostle indicates (Eph. iv. 16). There is to be no religious selfishness, no pharisaical spirit which has thought but for self. No Christian may say with Cain, 'Am I my brother's keeper?' On the contrary, to combat this haughty individualism, characteristic of pagan philosophy, Christ instituted a society, a family, whose members should be sons of the same Father, brothers of Himself, and hence brothers also one of the other. No Christian can be careless of his neighbour's salvation. Be the neighbour Hindu or Buddhist, the Christian desires the salvation of each, even as his own; for all should be members of Christ, and members of the same body cannot say they have no need one of the other.

In the service of Christ nationality should set up no

frontiers. There are not several bodies of Christ, nor several spouses, nor several churches or flocks. Jew and Gentile, Greek and barbarian, are called without distinction. Fighting against their common enemy, sin, they should constitute one single society, the people of God. In the field which is God's kingdom, and which is co-extensive with the world, there will ever be cockle amidst the wheat. Nor will a kingdom which has its commencement in free submission to God be itself without imperfections. Yet the consummation Christ seeks is a glorious Church, not having spot nor wrinkle, nor any such thing, but holy and without blemish.

In opposition to this world-embracing programme of Christ, man sets up his own selfish interests. Failing to grasp the divine spirit or the perfection of a Father who makes the sun to shine upon the just and the unjust, he seeks in religion, now an individualistic emotionalism, now a pharisaical parade, now the temporal welfare of family or nation.

Of recent years we have witnessed how the rivalry of nations has led to irreconcilable differences of opinion touching the facts and causes of the late war. Mutual jealousy, suspicion, misunderstanding, resentment cannot but be engendered where each party looks only to what it has to endure or towards the failings of the other side. But this is not the first time such difficulties have arisen or the quarrels of nations led to bitterness between members of Christ's flock. The divisions of Christians to-day are in large part due to past selfishness and rivalry amongst nations.

Thus Hellenism, despite revolution and change of dynasty, maintained, from Constantine onward, the continued existence of the Roman Empire. It felt itself richer, more refined, more civilized than the Western peoples. For the 'Franks' of Gaul and Italy, for the 'Normans' of the sea-coast and the islands, for the 'Germans' of every tribe, the Byzantine Emperor entertained the same sentiments as he did for the Petchenegues or Slavs, who menaced his sovereignty to the North and

along the Black Sea. And when Mussulman incursions robbed him of the ancient provinces of Egypt, Africa, Syria, and Asia Minor, and threatened both the islands and the mainland, he became more and more covetous of the fine armies of the now independent Western princes. The Latins, on the other hand, had little relish for the idea of submitting themselves to a far-off Eastern potentate. To the counts and barons and dukes and kings of France and England and Spain, to the Emperor in Germany, and to the turbulent cities and communes of Italy and Flanders, the Emperor at Constantinople was but a 'womanish' Roman, whose fabulous wealth but emasculated spirit they regarded with the disdainful pride of the unlettered strong. While from this mutual scorn, so little in conformity with the spirit of Christ, there sprang lack of comprehension, misunderstanding, touchiness, conflict, hatred, and finally separation and schism. Political rivalry engendered religious rivalry, even to breaking point, and the rupture which politics was able to bring about it was impotent to heal.

Other ruptures followed later on similar grounds. In the West it was in the name of Teutonic nationalism, on the one hand, and in the name of Anglo-Saxon independence, on the other, that Luther and Henry VIII, and then Elizabeth, won over and organized their followers. It was on the model of cantonal or provincial or federal autonomy that the Calvinists grew strong in Switzerland, in Holland, and in the French fiefs. While in the East political policies have caused further divisions, and from time to time have set in opposition the various autocephalous churches. The Hellenism of Phanar in the nineteenth century accused of Phyletism the growing churches of the Slavs in Serbia and Bulgaria, which Russia had taken under her protection. In Syria and Asia Minor it ignored the claims of the Arabophones, other favourites of Russia. The Nestorians of Chaldea, the Monophysites of Egypt, Abyssinia, and Armenia owe their survival, not so much to deep theological studies as to the spirit of nationalism. In the same spirit

the Russian Government persecuted for centuries the sects which detached themselves from the State Church. Only in 1917 was the Orthodox Church in its pan-Russian Council able to condemn as anti-canonical the reforms imposed upon it for two centuries by the authority of Peter the Great and his successors.

Statecraft, bringing into the Church of Christ its own narrow spirit, tends naturally to divide it into a multiplicity of sects. Nor can politics or diplomacy remedy schism, for which they are so largely responsible. On the other hand, as the spirit of Christ comes to influence more and more the various Christian groups, it tends inevitably to bring them into harmony, and out of the harmony to evolve that perfect unity which should exist between members of one and the same body.

Viewed in this light, the longing of countless souls for a full and perfect restitution of Christian unity becomes a most consoling token of the designs of Providence in these troublous times. We all sin in multitudinous ways, but it is not in taking our brother to task for his faults that we do penance for our own. Rather should we supplicate the divine Mercy for pardon alike for our own and our neighbour's trespasses. Nor yet is it a question of making a personal point of view prevail. Rather is it a matter of searching out the Will of God and of submitting to it. From this conviction have sprung the many associations whose purpose it is to renew before God the prayer of His Son and to remind Him of the promises He has made. The octave of prayer and reparation to God, which extends from the 18th to the 25th of January in each year, is a signal instance of this desire on the part of many. Rectitude of purpose comes through prayer, as light comes through study. And we should seek light, not victory; the Will of God, not personal success, even though the Will of God spells sacrifice, or runs counter to cherished opinions dear to us through long years of association and of family ties. God, His Truth, His Will, His Service, these must come before all worldly considerations.

This attitude is as imperative for the individual as it is for the community. For it is through the efforts of individual souls, working in the environment in which they wield an influence, that this attitude will be impressed upon the community. Even if, for unworthy reasons, a community fail to adopt a line of action whose certainty and binding power are clear to the individual, he is not justified in shirking his obedience to God under pretext of being the better able to win over the community if he accommodates himself to its standards. When the Jews turned aside from Jesus because of His words on the Bread of Life, Peter realized that it behoved him to choose between his own people and the prophet by whom the revelation of the Old Testament was perfected and in whom it was to receive a universal character. Peter and his fellow-apostles broke with their own nation to follow Jesus. What would have become of them had they waited for the Jewish people to recognise Christ?

The work of Christ is continued in His apostles, and the work of the apostles in the Church, whose mission is to teach and guide mankind. He wills to have one only Spouse, one mystical Body—a Vine in which the branches are joined to the stock, a Body in which there is organic union between members and the head. According to the measure of his knowledge will each man direct his steps towards this true Spouse of Christ. Nor should the world be his guide, but prayer rather, and charity, and the search after Truth. Christ Himself has shown us the way. In ascending into heaven, He entrusted to His apostles His mission of teaching the nations, confided to them the direction and sanctification of souls. Nor did He do so in order that, with the death of the Twelve, their mission should cease, and with it the divine assistance of Christ. Even to the end of time He is with those whom He has sent as His representatives here on earth. With them and by them He continues to teach, to direct souls in the way of His commandments, to confer upon them sacramental graces.

The hierarchy of the Church is, in the belief of the vast

majority of Christians, but the continuation and development of the Apostolic College. It has the same functions, the same mission, the same authority. Each member of this College received the same sacerdotal powers. Peter and Paul, James and John, Barnabas and Timothy, each had power to baptize, to confirm, to absolve, to ordain. Whether conferred by one or other of the apostles, the same sacrament had from Christ the same saving power. Peter was no more an apostle than the rest. His successor is no more a bishop than are other bishops. No one denies this truth. It is in the extent of their pastorate that bishops differ one from another. To each bishop is confided a determinate portion of the flock. The Bishop of Kazan has not the same charge as the Bishop of Moscow or of Canterbury. Nor is the flock of Moscow the same as that of Paris. Bishops, when once they are consecrated, differ not in the powers of orders, but in that of jurisdiction.

It is admitted by all Christians who are seeking unity on Catholic principles that the mission of the Apostolic College has been transmitted to the Apostolic hierarchy of bishops. It is admitted also that from its very foundation Jesus distinguished within the Apostolic College one of its members from the rest. To Peter were made special promises; upon him were bestowed by Christ special authority, prerogatives, and powers. In fact, reason itself would demand that there should be some centre of visible unity in the Apostolic body, if in turn it is to serve the purpose of unifying the faithful. Hence it is that ecclesiastical law establishes primates for particular countries, a Patriarch of Moscow, an Archbishop of Canterbury, an Exarch of Bulgaria, a Presiding Prelate of the Greek and Rumanian Synods. Is it, then, matter for surprise that what ecclesiastical law should have found it necessary to do for the sake of religious unity in individual countries, divine Wisdom should have done for the unity of the universal Church, or that, as the functions of the Apostolic College have been transmitted by divine right to the episcopate, so also is the Primacy which Christ established in Peter transmitted

to his successors? No one claims that Peter's successor is more a bishop than are other bishops, or that there is any difference in the power of his orders. The difference is in his universal jurisdiction. Each bishop has his portion of the flock; the successor of Peter watches also over the whole flock. There are no sheep outside of his pastoral care. He has jurisdiction over all, and for all is responsible to God.

At the largest of the first seven Œcumenical Councils at Chalcedon, it is Pope Leo who, as head of all the Churches, proclaims what the teaching of Christ is, and the assembled bishops, how mindful soever of precedence, welcome his definitions and commands. 'Peter has spoken through Leo. By Commission of the Lawgiver, you have watched over the Church and its Faith; you have been named for all the interpreter of the voice of Peter; to you, as to our supreme head, we bow, one in mind, one in spirit, one in heart; to you who wield through your legates such supremacy as does the head over the members.'

The most erudite of modern Orthodox historians who have written upon the ancient Church, M. V. V. Bolotov, acknowledges that 'in the teaching of Leo upon the question of jurisdiction all the Roman prerogatives are to be found, even as they are defined in the Vatican Council.' This, he says, is the teaching of Leo I:—

'De toto mundo unus Petrus eligitur. Totius ecclesiae princeps, primas, qui omnibus Apostolis cunctisque ecclesiae Patribus praeponitur.' This primacy, this principality of Peter, is not a passing, but a permanent institution. Visibly he governs the Church through his successors. The relation of the Bishops of Rome to the Chief of the Apostles still produces, in its profundity and in its consequences, that *consortium potentiae* of Peter and Our Lord. According to Leo the Great, the whole ecclesiastical fabric reproduces the different relations established by Christ within the Apostolic body. In the case of the Apostles, side by side with their equality by right of election, there was inequality by right of authority. The same holds for the bishops. Equals in point of sacerdotal dignity, they are unequals in point of canonical rights and of participation in the government of the Church. The care of all the Churches is the duty of the Bishop of Rome, *principaliter* and *ex iure*

¹ *Lektsii po Istorii drevni Tserkvi*, t. 3, pp. 281-285, St. Petersburg, 1913.

divino. This *episcopatus universalis*, taught by Leo the Great, does not militate against the sacerdotal equality of all the bishops of the ecclesiastical hierarchy, but only against their *plenitudo potestatis*. There can never be any question, therefore, of judging a Bishop of Rome. He may have his faults, but these faults are compensated and counter-balanced by the merits of Peter, so that a Bishop of Rome cannot fall into serious error.

In like manner does the Liturgy of the East still proclaim its ancient belief in papal authority. For instance, in the Vespers for January 2, the Orthodox Church speaks thus of Pope Sylvester:—

Sylvester, our Father, thou didst appear as a column of fire, anointed guide of the holy Council (of Nicæa), as a protecting cloud thou hast snatched the faithful from the Egyptian error, and hast conducted them towards the divine light by reason of the ever-unerring teaching. (*ταῖς ἀπλανέσι διδαχαῖς ἐκάστοτε*). A leader divinely appointed, thou didst give the definitions of the holy Fathers binding force. The abettors of error were confounded by virtue of the Holy Spirit who acts through thee.

Remarkable praise this of a bishop who was not even present at the Council. Yet it bespeaks the true tradition of the East, no less than that of the West. Despite the pressure brought to bear by emperors and other potentates, despite a patriotism quick to take offence and of which the West was at times inconsiderate, the East never forgot that an incomparable and inalienable prerogative belonged to the see of Rome, because of the divine mission conferred on Peter. Up to the time of the Photian schism an uninterrupted tradition had designated it the Apostolic See. 'In virtue of the primacy of Peter,' as Bolotov expressly states, 'the Bishop of Rome confirmed the decisions of the Councils; more often decided matters without reference to councils; appeals from all over the world were addressed to him, yet there was no room for an appeal from the decision of Rome.' The formula of Hormisdas, by which the Acacian schism was brought to an end at Easter in 519, and which was signed by hundreds of eastern bishops contains a direct expression of the belief that, on account of the promises made to Peter, no one may depart from the traditions of the Apostolic See, without at the same time

losing the certainty of faith and the hope of salvation. SS. Cyril and Methodius, the Apostles of the Slavs, though Byzantine by birth, remained steadfast in this tradition. St. Methodius inspired one of his disciples to write, or more probably wrote himself, in the Slav tongue, a digest of ecclesiastical law, called the *Nomocanon*. In his annotations he protests vigorously against the fictitious Canon 28 of Chalcedon. The original text was re-discovered by an orthodox Slav, Professor A. Pavlov, in a twelfth-century manuscript, and published in 1897 in the *Vizantiiskii Vremennik*.¹ It is well worth quoting, for it is the answer of the apostle of the Slavs to the religious question which all earnest Christians in Russia are asking to-day :—

It is to be noted [says St. Methodius] that this Canon (28) was not approved by Blessed Pope Leo. Nor is it true, as the Canon maintains, that the Fathers of the Church granted the primacy and seat of honour to ancient Rome because it was the capital of the Empire. On the contrary, it was from on high that it originated ; from grace divine that this primacy is derived. Peter, highest in dignity amongst the apostles, heard from the lips of Our Lord Jesus Christ Himself these words (quotes the Petrine text), and this is why he, of all the hierarchs, has first rank and first see.

Besides, it is a well-known fact that the emperors had their residence at Milan and Ravenna. Their palaces still remain in these places, even to our day. Yet these cities did not for that reason receive the primatial dignity. The dignity of presiding over the sacerdotal hierarchy is not the gift of the civil power ; it is the result of divine choice and apostolic authority. How can it be possible, then, for the sake of an earthly emperor, to set aside divine gifts and apostolic prerogatives that novelties may be introduced into the prescriptions of an unsullied faith. Immutuable in point of fact, these privileges of ancient Rome will endure to the end of time. Because he is put above all the Churches, the Roman Pontiff has no need to betake himself to Œcumenical councils for what he would propose to all the Churches. Nay, without his participation, manifest by the sending of his legates, Œcumenical councils are as if they were not. It is he who gives legal value to what has been decided upon in a council.

Have we not here an indication of what was the true Catholic spirit of the Slav peoples, and of what must be the Catholic spirit of all peoples, if they would realize Christ's prayer that 'they may be one, even as We are

¹ T. 4, pp. 150-152.

one.' It is not *any* kind of union that we need, nor would a union based on polity rather than on faith be pleasing either to Christ and our Heavenly Father or satisfactory to faithful souls. Union between Christians can be based only on charity and truth, and in it must be realized, amid diversities of language and of liturgical rites, that which Christ ordained, that which His apostles brought about.

The recognition of a truth, long neglected perhaps, and it may be with sincerity impugned, the correction of a mistake, that we may the better conform to the will of Christ, Our Lord, can be for no man a humiliation; nor yet is it a justification of pride if to one man there be given a greater knowledge of truth than to another. In a council held in 1917-18 the Russian Orthodox confessed that the organization of their Church was not in conformity with Canon Law, that the faith and practice of the Church ought not to be dependent upon the civil power, and changes were accordingly made. The Greek Hierarchy in 1868; and again in 1914; made similar pronouncements. Simultaneously, there has grown up a desire for a return to Christian unity of which Joachim III spoke publicly, in 1902, before the whole episcopal body of the Orthodox Church.

The movement toward unity is by no means confined to English-speaking countries. All nations feel the influence of its power. The desire which found solemn expression in the Lambeth Conference has its counterpart amongst the Calvinists of Holland. The movement which seeks to revive Catholic doctrine and practice in England has its parallel in the Hochkirchliche Vereinigung of Lutheran Germany, which would restore the priesthood, the hierarchy, the sacrifice of the Mass, religious life, and the doctrine and discipline of the Sacraments. Nor is the Catholic Church either unaware of, or unsympathetic towards, these movements. Leo XIII, Pius X, Benedict XV, have all spoken earnestly on the subject of Christian unity and have urged upon the faithful of all nations the need of constant prayer, that with God's help this great purpose may be realized. 'Guard us,' says the last of these Popes, speaking

of the Churches of the East, 'against any false move that might keep them at a distance; may the spirit of peace and charity, token of Thy presence in our midst, hasten the day when their voices and ours may unite together in prayer, that all peoples and all tongues may confess together Jesus Christ, Thy Son.'

We shall never attain unity by casting out any truth which Christ has revealed. Rather let us broaden our souls to receive the plenitude of divine revelation. The Christian Church is no mere sapling of a few years growth. Her trunk and her great boughs alike have developed in strength and in size, and the spread of her branches is world-wide; yet throughout has she remained the same Church, with the same stem, the same sap, and the same life. As we look back upon the centuries, our love should embrace, in union with Christ, all those whom divine grace in the past has vivified and incorporated in the mystical body; and by the token of this all-embracing charity we may recognize ourselves as the true disciples of the Master. The way that leads to union lies in the acceptance in all charity of the full compass of revealed Christian truth. Those who hear Christ but through the letter of the Scripture in that day will hear Him through the living voice which animates His Church. Nestorian and Monophysite, basing their faith on one or two councils, will let that same faith develop in the light which others throw. Pious souls in the Orthodox Church, who venerate the first seven of the Councils, will confess with joy that the Spirit did not desert the Church in the centuries that followed, but abides with her even to this day.

In his work, *The Three Dialogues*, the great Russian mystic, Vladimir Soloviev, has given symbolic but magnificent expression to the idea of Christian unity which, in spite of all difficulties, at length shall be accomplished. It is the end of time. There, in presence of Anti-Christ and his imperial council, apostate multitudes are celebrating the apotheosis of humanity, divorced from divinity. There stands also Peter the Second, steadfast in his loyalty to

the faith of Jesus Christ, and around him are a group of monks and of laymen who, in defiance of Anti-Christ, chant the words of the heavenly promise, *non prevalebunt*. There are two other groups, led by the Metropolitan John, who represents the Orthodox, and by Professor Paul, who speaks for the faithful Protestant. They, too, drawing closer to Peter, join in the resistance which he offers, and together all confess their faith in Jesus Christ, the Son of God, the Word Incarnate, Who died and rose again from the dead for the salvation of mankind. Then, at length, in face of the enemy, is perfect unity amongst Christians brought into being. 'Now has the hour come,' exclaims John, 'when the prayer of Christ must needs be fulfilled. Let Peter, our brother, feed the last of Christ's flock.' To which Paul responds by intoning the *Tu es Petrus*. Thus is unity accomplished, the gates of hell vanquished, and together all the faithful advance triumphant towards the gates of heaven, which open to disclose the sign that has drawn them and the saints that welcome eagerly their coming.

MICHEL D'HERBIGNY, S.J.

NOTES AND QUERIES

THEOLOGY

QUASI-DOMICILE AND MARRIAGE FEES

REV. DEAR SIR,—Will you kindly give an answer to the following query in the next issue of the I. E. RECORD :—

A girl is born and grows up in parish A. At a certain age she leaves and becomes a shop-assistant in parish B. After eight or nine years a man from parish C proposes marriage to her, and she accepts.

She comes to the *parochus* of parish B to make arrangements for the marriage, and tells him she wishes that he should have the marriage money, which, at the same time, she gives him. She expresses a wish to go back and get married amongst her own people in parish A. She goes back, and after a couple of days, gets married in parish A by the *parochus* of that parish. Immediately after the marriage she goes to live with her husband at his home in parish C.

Has the *parochus* of B a right to the money he has received ?
Has the *parochus* of A any right to demand it from him ?

Does a girl lose her quasi-domicile as soon as she leaves that quasi-domicile for the sole purpose of getting married ?

SAGART.

We may begin by taking it for granted that the young lady in question retained her domicile in parish A. The loss of domicile is regarded as a *res odiosa*, and requires definite proof. After she had attained her majority, her domicile of law in her parents' home becomes a domicile of fact. This domicile she retains until she renounces it. In the words of Deshayes¹ :—

‘ En vertu donc de ce principe, qui veut que l'on conserve un domicile tant qu'on ne l'a pas intentionnellement et définitivement abandonné, le majeur reste canoniquement domicilié chez ses parents, après avoir atteint sa majorité, jusqu'au moment où ces deux conditions se trouvent pour lui simultanément réalisées : son *établissement*, au sens propre du mot, sur une autre paroisse, et le *renoncement* au domicile (la cessation de l'*affectus domicilii*) qu'il avait jusqu' alors conservé auprès de ses parents.’²

Secondly, she had a quasi-domicile in parish B. That is incontestable.

¹ *Questions Pratiques sur le mariage*, p. 80.

² Cf. also Dr. Farren, *Domicile and Quasi-domicile*, pp. 95-6.

Now, she left the place of her employment 'for the sole purpose of getting married.' If this means that she was free to return to her old position in case the marriage, for any reason, did not take place, she still retained her quasi-domicile, in virtue of the old principle of law: '*Ea quae desponsa est ante contractas nuptias non mutat domicilium.*' The girl's departure from her quasi-domicile is taken to be conditional on the celebration of the marriage. If she had actually severed her connexion with her employer, the proof must be forthcoming. In the absence of such proof, the parish priest of B is as much the girls *proprius parochus*, until the marriage was celebrated, as the parish priest of A.

According to the general law,¹ the marriage fees go to the priest who assists at the marriage, and who usually is the *parochus sponsae*.² But for Ireland, according to the regulation made by the Bishops in 1908, 'a reasonable fee is payable to the *parochus loci*' (i.e., where marriage is celebrated), but 'the special marriage offering for the maintenance of the clergy, if such offering is made, shall be paid, as hitherto, to the *parochus sponsae*.'

In the present case, the *sponsa* has two *parochi proprii*. It has been suggested already more than once in these pages,³ that in such a contingency the fees should be divided equally. But that is only a private opinion, and in the absence of any particular law the *sponsa* will be free to give the 'special marriage offering' to the *parochus proprius* of her own choice. She has exercised that choice, and the parish priest of A can lay claim only to the 'reasonable fee.' The amount of that fee we may not venture to define. Some guidance may be obtained from the practice of those churches, in cities and towns, where marriages of non-parishioners are frequently celebrated.

BINDING FORCE OF CONTRACT

REV. DEAR SIR,—A shopkeeper in this parish lately placed an order for a motor lorry with a reputable firm, at a price already agreed upon. The firm acknowledged receipt of the order, and promised immediate delivery. Meanwhile the shopkeeper receives an unexpected offer from a neighbour of an equally reliable vehicle at an appreciably lower figure. He thereupon closes with this offer, notifies the motor firm that he had received their reply to his original letter, but countermands the order. Unfortunately, the firm had already despatched the vehicle, but the shopkeeper declines to accept delivery.

A brief recital of the theological principles on which the solution of the case depends would be a welcome boon to a

BUSY PASTOR.

A contract of purchase and sale is one by which the ownership of a thing is transferred from one party to another for an agreed price. All

¹ Canon 1097, § 3.

² Canon 1097, § 2.

³ Cf. I. E. RECORD, Fifth Series, vol. iv. p. 628; vol. v. p. 298.

that the natural law requires in order that such a contract may be valid is that both parties signify their consent. Civil law, however, may prescribe certain formalities for validity, and it is taken for granted that the contracting parties bind themselves in the manner so prescribed. They may, indeed, intend to contract in a way other than that required by positive law, but this intention should be made perfectly clear. Otherwise the obligations which arise from the contract will be determined according to the prevailing law.¹ That is, in brief, the theology on the binding force of contracts. As soon as both parties signify their consent, the obligation arises, and exists until discharged, or condoned, or terminated by mutual agreement.

It is obvious that in the case submitted there is a binding contract, from the point of view of the natural law. Nor, so far as we know, does English law require any further evidence of its existence, or formalities to bring it into being, than are furnished by the data before us. There can be no question as to mutual consent, or as English law puts it, offer and acceptance. We might take it that the motor firm's advertisement constitutes an offer, and the shopkeeper's order the acceptance of it. Or, to make the matter still more certain, the order may be considered as an offer, and the firm's acknowledgment and promise of delivery as the acceptance.²

Now, after acceptance, a contract may not lawfully be revoked.³ Hence we think that the motor firm may, if it wish, institute proceedings for the fulfilment of the contract, or to recover damages for breach of it.

METHODS AT AUCTIONS

REV. DEAR SIR,—Will you kindly let me have your views on the following case:—

A house is put up for sale. At the public auction there are three persons bidding, one of whom is the present occupier of the house. During the course of the bidding, the latter whispers to the other two: 'I am the occupier of this house and I am determined to get it at any price.' The other two cease bidding and the occupier gets the house at a very moderate price. Is his action against the principles of justice?

SUBSCRIBER.

All modern theologians describe an auction as an aleatory contract. There are risks on both sides. The seller may have to dispose of his property at a price even below what would be regarded as the minimum just price in a contract of sale. The buyer may be urged by competition to pay even more than the maximum price, as fixed by common

¹ Cf. Lehmkuhl, *Th. Moralis*, i. 1317.

² Cf., for instance, Anson, *Law of Contract*, ch. i.

³ Cf. Anson, *op. cit.*, pp. 28 sqq.

estimation. But as long as the chances on both sides are fairly balanced, and not interfered with by unjust means, the contract is lawful. And any price offered by a genuine bidder is held to be a just price.

The theologians discuss most of the practices resorted to by buyers at auctions. It goes without saying that a prospective buyer may not use force or threats or deception to frighten off competitors. The reason is that the seller has a right, not indeed to the higher price that these others may offer, but to a chance of obtaining it.

Practically every theologian agrees that it is quite lawful for a person to ask others to refrain from bidding against him.¹ (Provided, however, that the asking is not so importunate as to be equivalent to force or pressure.) The reason they give is that the purchaser merely exercises his diligence on his own behalf.

But many go further and hold that buyers at an auction may lawfully agree or combine not to bid against one another, for the reason that, as each individual may lawfully abstain from bidding, he may freely agree with others to do so. Some would restrict this right to combine to friends, but Lehmkuhl rightly observes that the justice of the thing is independent of friendship between the parties who agree.² In English law, Crollly observes, a compact between more than two is held to be fraudulent.³

In view of this, 'Subscriber,' we think, can conclude that the procedure in the case above was not unjust. We do not see any evidence of the use of unjust means to interfere with buyers. The occupier of the house merely intimates that he means to buy at any price. He does not really prevent the others from bidding, if they wish. It might happen, it is true, that even an intimation of this kind would contain a veiled threat. We have no evidence that such is the case.

P. O'NEILL

¹ De Lugo, Disp. xxvi. n. 45; St. Alphonsus, tom. i. lib. ii. Tract. v., n. 808; Ballerini-Palmieri, *Opus Theol. Morale*, Tract. viii. n. 400; Crollly, *De Contractibus*, ii. 537; Lehmkuhl, i. 1337; Génicot, i. 638; Noldin, ii. 602; Ferreres, i. 1060.

² Cf. Ballerini-Palmieri, op. cit., n. 400; Lehmkuhl, i. 1337, n. 2.

³ Crollly, *De Contract.*, ii. n. 537.

CANON LAW

DECISIONS OF THE COMMISSION FOR THE INTERPRETATION OF THE CODE

IN the last issue of the I. E. RECORD we dealt with some of the decisions of the Commission which appeared in the *Acta Apostolicæ Sedis* of August last. We shall now discuss the remaining ones.

VII

On changing to another Religious Institute (Canon 634)

‘Whether the vote of the Chapter in admitting a religious of whom there is question in Canon 634, to solemn or perpetual simple profession has deliberative force, or only consultative?’

‘The reply is: In the affirmative to the first part; in the negative to the second.’

The vote of the Chapter is deliberative, if the admission or rejection of the candidate is dependent on the result of the voting; on the other hand, if the Superior can still admit or reject the candidate, even in opposition to the majority of the Chapter, the vote is merely consultative. It must, however, be remembered that, even when a vote is merely consultative, it is necessary for the validity of the act for which it is prescribed, although, of course, so far as validity at least is concerned, the Superior may always disregard its result.

This query is concerned with those who, after having made solemn or perpetual simple profession in one institute, leave it and join another. According to Canon 634, these, when they have passed through the usual novitiate, are not required to take temporary vows, but may be admitted straightway to solemn or perpetual simple profession, in accordance with the nature of the institute. The question before the Commission was, whether the vote of the Chapter for this admission was deliberative or consultative. The difficulties in connexion with it arise from Canon 575, § 2, where it is stated that the vote of the Chapter for temporary profession is deliberative, for subsequent perpetual profession, whether simple or solemn, consultative.

This paragraph has in view, of course, only the normal case, in which candidates join a religious institute for the first time; and it gives the Chapter a really effective voice in their admission. In regard to the abnormal case contemplated in Canon 634, the Code has no prescription regarding the nature of the Chapter’s vote in the admission of candidates to perpetual profession. Natural equity and a true analogy with Canon 575, § 2, suggest that it should be deliberative; because otherwise the Chapter would not have an effective voice in the admission of new members to the institute. The reply of the Commission is in this sense; it therefore supplements the Code in the way which equity and analogy require.

VIII

Regarding the registration of Baptism (Canon 777)

‘Whether the word *illegitimate* of Canon 777, § 2, embraces without exception all who are illegitimately born, even those born of adultery, or of sacrilege, or who are spurious on some other grounds, so that it is lawful to inscribe the names of the parents in the registration of the Baptism ?

‘The reply is : The names of the parents are to be so inserted as to avoid all occasion of defamation ; and in particular cases recourse should be had to the Sacred Congregation of the Council.’

Canon 777, § 2, gives the circumstances in which the names of the parents are to be inserted in the registration of the baptism of illegitimate children. The question submitted to the Commission was whether the word *illegitimate*, in this paragraph, embraces not merely natural but also spurious children. From the plain simple meaning of the word, one naturally concludes that it does : it is a general term including both classes. It will be noticed that the Commission did not directly state this ; but it follows implicitly from its reply. There is very great danger of defamation in connexion with the registration of the baptism of spurious children, not merely of the parents themselves, but also of innocent third parties, for example, of the clerical or religious state, in the case of children born of sacrilege, of the innocent spouse and innocent children in the case of those born of adultery, etc. ; and of course, the danger of defamation would excuse from the insertion of the names of the parents in cases in which otherwise this obligation would exist. It is this aspect of the matter which the reply of the Commission emphasizes, by stating that the insertion is to be so made as to avoid all occasion of defamation. The particular cases in which it requires recourse to be made to the Sacred Congregation of the Council are evidently those in which doubts arise as to the danger or otherwise of defamation : not in every particular case of the baptism of a spurious child need this recourse take place.

IX

Regarding irregularities and other impediments (Canon 987)

‘Whether by the name *children*, of whom there is question in Canon 987, n. 1, are to be understood only the descendants in the paternal line to the first degree.

‘The reply is : In the affirmative.’

Amongst those who are precluded by a simple impediment, as distinct from an irregularity, from being promoted to Orders, Canon 987, n. 1, includes : ‘The children of non-Catholics, as long as their parents continue in their error.’ From the usage of the Code (cf. Canons 742, 765, 795, 854, 1113, etc.), and also from the natural meaning of the term, it seems clear that *fili* of the Canon embraces only descendants to the first degree. The reply also states that it is applicable only to descendants in the paternal line, or in other words, ‘paternal line’ being

interpreted in the light of the old teaching, it is applicable only when the father is a non-Catholic. If, therefore, the mother alone is a non-Catholic the children are not subject to the prohibition. This is contrary to the natural meaning of the Canon itself and also to a reply of the Commission given in 1919, which stated that, if either the father or mother were non-Catholic, the children were forbidden to receive Orders.¹

X

Regarding custody and worship of the Most Holy Eucharist (Canon 1274)

‘Whether the churches, in which, in accordance with 1274, § 1, public exposition, that is, exposition with the monstrance, can be made without the permission of the Ordinary on the Feast of Corpus Christi and within the Octave, during Masses and at Vespers, are those only which have the right of reserving the Most Holy Eucharist?’

‘The reply is: In the affirmative, without prejudice to the prescription of Canon 1171.’

This reply clears up a rather difficult point of interpretation. Canon 1274, § 1, first of all, states that in churches and oratories which have the right of reserving the Blessed Sacrament, private exposition may take place for any reasonable cause and without the permission of the Ordinary; it then adds that: ‘Public exposition, that is, with the monstrance, can take place on the Feast of Corpus Christi and within the Octave in *all churches* during Masses and at Vespers.’ It is not by any means clear whether the phrase ‘in omnibus ecclesiis’ is to be taken in an absolutely universal sense, or whether it is to be qualified by the restriction of the preceding sentence: ‘quibus datum est asseruare sanctissimam Eucharistiam.’ The Commission has decided that this qualification must be added.

XI

Regarding the reduction of obligations of Masses (Canons 1517 and 1551)

‘Whether the Ordinary, in accordance with Canon 1517 and Canon 1551, on account of diminished revenues, can reduce obligations of Masses, if that has been expressly provided in the foundation tablets?’

‘The reply is: In the affirmative.’

The difficulty in connexion with this query arises from Canon 1517, § 2. Canon 1517, § 1, states, as a general principle, that the reduction of obligations imposed by a testator is reserved to the Holy See, unless the testator expressly conceded this power to the Ordinary. Canon 1517, § 2, then declares that, if the execution of obligations of this kind becomes impossible, on account of diminished revenues, or for some other cause, the Ordinary may reduce them, except in the case of Masses, in regard to which the Holy See alone is competent (*excepta Missarum reductione quae semper Sedi Apostolicae unice competit*). Canon 1551 contains practically the same regulations for the reduction of the obligations of pious foundations in general, whether established by wills or

¹ A. A. Sedes, 1919, p. 478.

in any other way. Now, a close examination of Canon 1517, § 2, reveals that it is dealing with the reduction of obligations in cases in which the founder has not conceded this power to the Ordinary ; and, consequently, it is only to such cases that its regulation in regard to the reduction of Masses is applicable. When, therefore, the founder has expressly conceded the powers to the Ordinary, even though there is question of the reduction of Masses on account of diminished revenues, the rule laid down in Canon 1517, § 2, may be followed. This conclusion receives confirmation from the pre-Code discipline, under which there was no doubt about the Ordinary's right to reduce the obligations of Masses on account of diminished revenues, if the founder had expressly given him power to do so.

XII

Regarding the competent forum (Canon 1565)

'Whether, in accordance with Canon 1565, § 1, a party, by reason of contract, can be convened before the Ordinary of the place in which the contract was entered into or is to be fulfilled, even though he has departed from the place ?

'The reply is : In the negative, without prejudice to the prescription of § 2 of the Canon referred to.'

Both under the old as well as under the new discipline, contract is one of the means by which an ecclesiastical judge acquires competence ; in other words, litigation concerning contracts can be decided by the judge of the place in which the contract was entered into or is to be fulfilled. The Code does not expressly state whether this is true, even when the defendant has left the place ; it, however, we think, pretty clearly implies that it is not. Thus, according to § 2 of Canon 1565, by agreement between the parties, a place may be selected for declaring, urging, or fulfilling the contract in which even those who are absent may be cited to appear. Evidently, therefore, apart from an agreement of this kind, those who are absent cannot be convened. Again, in Canon 1566, in connexion with competence determined by reason of crime, it is expressly stated that the criminal may be cited even after he has left the place in which he committed the crime. The absence of any such statement in reference to contract in the Canon immediately preceding is most significant. The old discipline, too, was that the defendant could not be convened in the place of contract after his departure therefrom ; and, of course, without clear evidence of a change, the Code must be presumed to be in conformity with it. The reply of the Commission, therefore, is scarcely more than a declaration of what is already, clearly though implicitly, contained in Canon 1565.

XIII

Regarding the sentence (Canons 1874 and 1894)

'Whether, in accordance with Canon 1874, § 5, and Canon 1894, n. 3, a sentence passed by a collegiate tribunal, and signed only by the president of the tribunal and the notary, is invalid ?

'The reply is : In the affirmative.'

Like the preceding one, this reply is simply declaratory : the Code itself makes it quite clear that the signature of all the judges in a collegiate tribunal is necessary for the validity of the sentence. Canon 1874, § 5, declares that a sentence 'should conclude with the signature of the judge or of all the judges, if there are several, and of the notary'; whilst, according to Canon 1894, n. 3, a sentence is invalid when 'it is without the signatures prescribed by law.' The fact that the president of a collegiate tribunal is competent to perform certain acts without reference to the other judges may have suggested this doubt.

XIV

Regarding the competent forum in Matrimonial Causes (Canon 1964)

'1. Whether a wife, maliciously deserted by her husband, can, in accordance with Canon 1964, convene him in a matrimonial case before the Ordinary of her own distinct quasi-domicile; or must she convene him before the Ordinary of the domicile or quasi-domicile of the husband?

'The reply is : In the negative to the first part ; in the affirmative to the second.

'2. Whether a Catholic wife, not legitimately separated from her husband, who has her own distinct quasi-domicile, as plaintiff, can, in accordance with Canon 1964, convene her non-Catholic husband only before the Ordinary of her own distinct quasi-domicile; or also before the Ordinary of the domicile of the husband?

'The reply is : Since the wife in the case has her own distinct quasi-domicile, and follows the domicile of her husband, she can convene the husband before one or the other Ordinary.'

Canon 1964 contains the key to the solution of these two queries. 'In other matrimonial causes,' it states, 'the competent judge is the judge of the place in which the marriage was celebrated, or in which the defendant or, if one of the parties is a non-Catholic, in which the Catholic party has a domicile or quasi-domicile.' Now the first query contemplates the case in which both husband and wife are Catholics; clearly, therefore, the husband can be convened only before the Ordinary of his own domicile or quasi-domicile. The second query, on the other hand, is concerned with a mixed marriage, in which the husband is a non-Catholic. In accordance with the canon just quoted he must, therefore, be convened before the Ordinary of his wife's domicile or quasi-domicile. In the case under consideration the wife has, indeed, her own distinct quasi-domicile; but, as she is not legitimately separated from her husband, by the provisions of Canon 93 she retains his domicile; and hence, as a matter of fact, the husband can be convened before the Ordinary of his own domicile, not, indeed, because the domicile is his own, but because it is his wife's also. It must be noted that the Ordinary of the husband's quasi-domicile is excluded. A wife not legitimately separated from her husband retains his domicile, but not his quasi-domicile.

Regarding the subject liable to the coercive power (Canon 2233)

‘Whether, in accordance with Canon 2233, § 2, on account of the violation of a special precept, which was sanctioned with a censure *ferendae sententiae*, the censure can be inflicted immediately after the proof of the crime; or must a new admonition precede it.

‘The reply is: In the affirmative to the first part; in the negative to the second.’

The point settled by this very important decision was left rather doubtful by the Code, as a glance at the pertinent canons—2233, § 2, and 2242, § 3—will show. Canon 2233, § 2, requires that: ‘If there is question of inflicting a censure, the criminal should be reprehended and admonished to cease from his contumacy.’ Canon 2242, § 2, explains more fully the necessity for admonitions in the infliction of censures: ‘If there is question of censures *ferendae sententiae*, one is contumacious who, notwithstanding the admonitions mentioned in Canon 2233, § 2, does not give up his crime, or refuses to do penance for a crime committed and to repair the injury and scandal resulting from it; but to incur a *latae sententiae* censure the transgression of the law or precept to which censure is attached suffices, unless the criminal is legitimately excused from it.’

In the light of this latter canon it would seem that, even in the case of a *ferendae sententiae* censure attached to a particular precept, a new admonition would be necessary before the censure could be inflicted. On the other hand, a particular precept with a *ferendae sententiae* censure is really an admonition in the sense of Canon 2233, § 2, and consequently neglect of it should involve the contumacy necessary for the infliction of a censure. The matter was, therefore, really doubtful, and, of course, its practical nature is quite apparent; hence the importance of the decision.

In this connexion it may be well to draw attention to the fact that a censure, either *latae* or *ferendae sententiae*, may, in accordance with Canon 2225, be declared or inflicted without judicial formalities: all the solemnities requisite are proof of the violation of the precept and declaration or infliction of the censure either in writing or in the presence of two witnesses.

THE RESERVATION OF THE ARCHDEACONRY

REV. DEAR SIR,—Kindly answer the following queries in the I. E. RECORD:—

1. Is the Archdeaconry reserved to the Holy See? Does it not seem that there is an immemorial custom against the reservation in this country? And if so, may it not be tolerated in the circumstances mentioned in Canon 5?

2. Granted that the Archdeaconry is reserved, does it follow that, when a parish priest is appointed Archdeacon by the Holy

See and afterwards dies, his parish is reserved as well as the Archdeaconry itself? The words, *si beneficiarium promoverit*, of Canon 1435, § 1, n. 4, seem to indicate that such is the case.

SACERDOS.

1. The Archdeaconry is reserved to the Holy See. Canon 396, § 1, states that: 'The collation of dignities in cathedral and collegiate Chapters is reserved to the Holy See'; and the Archdeaconry is one of the dignities of cathedral Chapters in this country. There is no custom, immemorial or otherwise, against this reservation in Ireland. In pre-Code days only the first dignity, that is to say, the deanery, in this country, was reserved.¹ It is quite incorrect therefore to speak of the practice of not having the Archdeaconry conferred by the Holy See as a custom: it was quite in accordance with the existing law.

2. We consider that the parish is not reserved, in the circumstances. The words, *si beneficiarium promoverit* refer to the case in which the Holy See, by appointing one already in possession of a benefice to another office or benefice, vacates the former one: the benefice thus rendered vacant by the action of the Holy See is reserved. The example of a reservation of this kind, with which we are best acquainted in this country, is that of a parish rendered vacant through the promotion of its pastor to a bishopric.

BINATION. RETENTION OF PART OF MASS STIPENDS

REV. DEAR SIR,—A solution of the following queries in the I. E. RECORD would greatly oblige:—

1. In the parish to which I am attached, one of the parishioners has the privilege of a private oratory from the Holy See. Sometimes it is impossible to have Mass in this oratory on Sundays and holidays without bination. May the Bishop permit bination in the circumstances?

2. If a parish priest gets another priest to offer the Mass *pro populo* for him, is he bound to give a special *honorarium*, or does the ordinary diocesan stipend suffice?

PAROCHUS.

1. The conditions under which the Ordinary may permit bination are stated in Canon 806, § 2: 'The Ordinary cannot grant this faculty, unless when, in his prudent estimation, on account of a scarcity of priests, a notable part of the faithful cannot assist at Mass on a feast day of obligation.'

In the case contemplated, it cannot be said that a notable part of the faithful are affected: only the privileged person and his household

¹ Reg. 4, Canc. Apost. Cf. Wernz, tom. ii. n. 781: 'Etenim *prima dignitas* in capitulis Cathedralibus non solum ex Reg. 4, Canc. Apostol., sed frequenter etiam specialibus Constitutionibus pontificiis . . . in perpetuum reservatur.'

are involved; and besides there is no indication that it is impossible or inconvenient for them to attend the parochial Mass. This Canon, too, is a confirmation of the old discipline on bination, and hence it must be interpreted in accordance with the old teaching on this matter. The following quotation from Gasparri represents this pretty accurately:—

‘Similarly the necessity is not verified and consequently neither a Vicar-Apostolic, nor much less a Bishop, can binate or permit bination for the convenience of those who wish to satisfy the precept of hearing Mass on a feast day in their strictly private or domestic chapels. The already cited Instruction of the Sacred Congregation of the Propagation of the Faith proves it, n. 6, by these words: “The Vicar Apostolic of Limburg had given an account of the immemorial custom in his vicariate of permitting the repetition of Mass in the houses of the nobles: as he did not think that in these circumstances there existed that necessity which is required by the *formulae*, he asked, both on account of the custom and of the moral advantages which resulted from it, that authority should be given him to permit it. The Sacred Congregation of the Inquisition considered that: *In view of the explanations given it was not expedient.*”’¹

It seems certain, therefore, that the Ordinary cannot grant permission to binate in the circumstances.

2. There is no doubt that the ordinary diocesan *honorarium* suffices. The Code, indeed, does not explicitly touch on the point; but a deduction to this effect may, we think, be quite legitimately made from Canon 840, § 2.² The pre-Code commentators, however, were quite clear on the matter. Again Gasparri’s teaching is representative. Amongst the exceptional cases, in which part of a Mass stipend may be retained when the obligation is transferred, he mentions the following:—

‘When the obligation of celebrating Masses is attached to a parish prebend . . .; for in this case the titular, if he commits the celebration of the Masses to another, owes the celebrant the customary *honorarium*, not that corresponding to the revenues of the parish for one day . . ., because he has these fruits not for the celebration of the Mass alone, but for other duties also.’³

J. KINANE.

¹ *De Sanctissima Eucharistia*, vol. i. n. 385.

² ‘In Missis ad instar manualium, nisi obstat mens fundatoris, legitime retinetur excessus et satis est remittere solam eleemosynam manualement dioecesis in qua Missa celebratur, si pinguis eleemosyna locum pro parte teneat dotis beneficii aut causae piaë.’

³ l.c., n. 600.

LITURGY

RESPONSORIES OF SUNDAY LESSONS. ALLOCATION OF PROPER HYMNS IN THE OFFICE. THE PRAYER 'PRO DEFUNCTO' AND THE INDULGENCE OF PRIVILEGED ALTAR. THE MASS 'DE BEATA MARIA IN SABBATO'

REV. DEAR SIR,—1. In this diocese the beginning of the Book of the Prophet Osee has to be read on a Monday, owing to a feast with proper lessons falling on the Sunday. Will the Responsories be those of Sunday or of Monday?

2. The Office of a Saint has four hymns proper, viz., First Vespers, Matins, Lauds, and Second Vespers. This year the feast concurs with the Sunday Office, and the hymn of First Vespers is not read. May or must it be joined with the hymn of Matins? What is the rule, if any, in those cases?

3. In a decree of February 20, 1913, we are told that 'decet et licet' to add the prayer for the dead for whom the Holy Sacrifice is offered as 'penultima' in a Mass 'de feria,' e.g., in Lent. Is that decree still in force, and if so, when exactly is that permitted?

4. When a Simple Feast occurs on a Saturday *post Pentecosten* the Office is to be 'de Beata M. in Sabbato.' Kindly say, (a) must the Simple Feast be commemorated in the Mass? (b) what prayer will be third? (c) what if two Simple Feasts occur on the day? (d) would it be correct to say that Mass might also be said of the Simple Feast with commemoration of the Blessed Virgin?

SACERDOS.

1. The following excerpt from the general decree of the Sacred Congregation of Rites, dated October 28, 1913, contains the answer to our correspondent's difficulty. Dealing with the Responsories of the Office, the decree¹ states: 'I. In officiis tam novem quam trium Lectionum, quandocunque sumuntur Lectiones de Scriptura occurrenti, cum eis adhibeantur Responsoria de Tempore; ita tamen ut Lectiones Dominicae cujuslibet, etiam si reponantur infra hebdomadam et simul cum Lectionibus de Feria dicantur, sumant semper Responsoria de I. Nocturno ipsius Dominicae; Lectiones vero de Feria, si transferantur vel anticipantur, dummodo tamen simul cum Lectionibus Dominicae non dicantur, sumant Responsoria de Feria currenti, in Feriis Temporis Paschalis noviter disponenda. Excipiuntur tamen: . . . (c) Lectiones de Scriptura in Dominicis post Epiphaniam positae, quae si infra hebdomadam transferantur, dicuntur cum Responsoriis de Feria currenti.'

When, therefore, the Scripture occurring assigned to a Sunday is transferred or anticipated, the Responsories of the 1st Nocturn of the

¹ Cf. I. E. RECORD, vol. ii. (1913), Fifth Series, p. 658.

Sunday Office are also transferred or anticipated, the only exception being the Lessons of Sundays after Epiphany, when the Responsories are to be those of the Feria on which they are read. As the Lessons from the Prophet Osee occur in November, the Responsories of the Sunday are transferred with the Lessons, and should therefore, in the circumstances described by our correspondent, be read on the Monday.

2. The rule operating in cases of this kind is given in the general Rubrics of the Breviary (tit. xx. n. 3). It reads: '*Quando in aliquo Festo adsint tres hymni proprii historici, et hymnus proprius in primis Vesperis dici nequeat, tunc hic hymnus dicitur ad Matutinum, hymnus Matutini ad Laudes, ac hymnus Laudum ad Secundas Vesperas. . . . Si vero secundae Vesperae non sint de hoc Festo, tunc hymnus Vesperarum conjungitur cum hymno Matutini sub unica conclusione.*' If, therefore, as in the case proposed, the 1st Vespers concur with an Office of higher rite, the proper hymn assigned to 1st Vespers is recited at Matins, the hymn of Matins is recited at Lauds, and the hymn of Lauds at 2nd Vespers. If, however, the 2nd Vespers are not of the Feast, a different rule prevails, viz., the hymn of 1st Vespers is joined to that of Matins under one conclusion and the hymn assigned to Lauds is recited at Lauds. As to the conjunction of the two hymns in this case it is necessary to advert to the following decision of the Sacred Congregation.¹ To the query: '*Quaenam sequendae normae in conjungendis Hymnis Sanctorum propriis, si habeantur in Breviario, quando relativa Festa primis Vesperis carent?*' the reply was: '*Hymnus Vesperarum conjungendus est cum altero ad Matutinum, quoties eodem metro uterque gaudet, et secundus est continuatio primi; nisi aliter, cautum sit in ipsa Rubrica speciali Breviarii Romani.*' As a general rule, a special rubric of the Breviary will be found to regulate the mode of procedure in each case that arises, but it is well to note that this fusion of the hymns of Vespers and Lauds takes place only when the metre of both hymns is the same, and one in point of subject-matter, may be regarded as a continuation of the other. There is only one instance in the Breviary, as far as we know, of four proper hymns appointed to one Feast, viz., the Feast of the Holy Rosary. If in this case, owing to the concurrence of another Feast, the hymns of Vespers cannot be said, the hymn of 1st Vespers is joined to that of Matins, and the hymn of 2nd Vespers to that of Lauds.

3. The pertinent portion of the decree to which our correspondent refers is as follows: '*Ad Altaris privilegiati, quod vocant, Indulgentiam lucranda non amplius in posterum sub poena nullitatis requiri, Missam de requie vel de feria vel Vigilia cum Oratione defuncti propria celebrari; id tamen laudabiliter fieri, cum licet ac decet, pietatis gratia erga defunctum.*' Before the issue of this decree it was prescribed as a necessary condition for securing the Indulgence of the Privileged Altar that a Requiem Mass should be said if the Rubrics allowed it, and that on days, such as the ferials of Lent, when a choice is permitted between a Festal and a Ferial Mass, the latter Mass should be selected and a Prayer for

¹ Decr. 3844³.

the dead be inserted in it. By this decree, which is still in force, those restrictions were removed, and the Indulgence of the Privileged Altar may be gained by saying a Mass *de festo*, even though the rubrics allow a Requiem or Ferial Mass. But while these restrictions no longer prevail under pain of forfeiting the Indulgence, the decree states that the old discipline may still be laudably followed, 'cum licet ac decet pietatis gratia erga defunctum'; in other words, that for the purposes of the Indulgence it is still laudable to say a Requiem Mass, whenever the Rubrics allow it, and when they do not, as in the case of a Major Ferial or Vigil, a prayer for the dead may be laudably inserted in the Mass. The prayer *Fidelium*, or any one of the prayers *pro defunctis* may be added (outside Paschal time) as a strictly Votive Prayer in all vigil and ferial Masses which are not privileged (even though a semi-double or double is commemorated) and in all Simple Feast Masses, provided the Mass is offered *pro defunctis*. The position of the prayer is the last but one (*penultima*) among all the Prayers and Collects read in the Mass. It is laudable to insert such a prayer for the purpose of the Indulgence of the Privileged Altar, but it may not be said if the *Oratio Imperata* already prescribed by the Bishop is a Collect *pro defunctis*.

4. Yes, the rubrics of the Missal (Tit. iv. 1) and the Breviary (Tit. viii. 2) are decisive on the matter. (a) The Simple Feast is commemorated both in the Office and the Mass. (b) The third Prayer will be 'de Spiritu Sancto.' (c) The Prayer of the second Simple Feast is in the third place, and the Prayer 'de Spiritu Sancto' may be omitted; if it is said in the case, a fifth Prayer, at the option of the celebrant, should be added to make the number odd. (d) Yes; the Mass 'de Beata Maria in Sabbato' has the right of precedence, but it does not preclude the privilege of a Votive or Requiem Mass. If a Votive Mass is read, the second Prayer will be 'de Beata Maria' prescribed for the season, and the third of the Simple Feast commemorated.¹ The Office in the case *should* be 'de Beata Maria in Sabbato.'

SOME RECENT DECREES OF THE SACRED CONGREGATION

I

THE CELEBRATION OF A VOTIVE MASS FOR THE PROPAGATION OF THE FAITH

The Commission appointed to arrange for the third centenary of the Sacred Congregation of the Propaganda petitioned the Holy See for the favour that in each diocese the Votive Mass for the Propagation of the Faith might be celebrated once a year on a day fixed by the Ordinary of each diocese. The reply of the Holy See benignly granting the request was published in the July number of the I. E. RECORD (p. 91). In addition to the granting of the request, the reply indicates that the

¹ If the Votive Mass selected is that of the Simple Feast, the Mass should be read 'more festivo'; in other words, the '*Gloria*' should be read, the 2nd Prayer is 'de Beata Maria' and 3rd the 'Common Commemoration' proper to the Season.

celebration of the Mass in the prescribed conditions has attached to it certain privileges not usually associated with a private Votive Mass. The Ordinary is empowered to fix a day for the celebration of this Mass on which a private Votive Mass is precluded by the general rubrics, e.g., a Feast of minor or major—double rite, a minor Sunday, a day within a privileged Octave of III Order, and the *Credo* is to be inserted in the Mass.¹ In the older Missals the Votive Mass *Pro Fidei Propagatione* was given at the end of the section 'Festa pro aliquibus locis,' and the rubrics clearly indicated that it might be read only in dioceses where the Society for the Propagation of the Faith had been established; in the new Missal it is inserted among the 'Missae Votivae ad diversa' immediately before the Mass *Contra Paganos*, and there is no longer any restriction as to its use as a Votive Mass. The Mass, therefore, may now be read as a private Votive Mass² by any priest whenever the rubrics permit it. The commemorations to be made in the Mass, whether on the fixed day determined by the Bishop for the whole diocese, or throughout the year, are regulated by the ordinary rules of a private Votive Mass, viz., there will be commemorations of the Office of the day and other occurring Offices, and, provided the Mass is not read on a Feast of double rite, a minimum of three Prayers is required.

N.B.—We understand that the Irish Bishops have designated the 2nd of December (Feast of St. Bibiana) as the day for the special Votive Mass *Pro Fidei Propagatione* each year in all the dioceses of Ireland, and that formal notification of this shall appear in the *Ordo* for 1923. The Office of this day is ordinarily a semi-double, when by the general rubrics a Votive Mass is permitted, and there is accordingly no restriction as to the number of such Masses permissible on that day in each church or oratory.³ The Prayers of the Mass will be: 1st, *Pro Fidei Propagatione*, 2nd, *S. Bibianae*; 3rd, *A Cunctis* (*Oratio de Feria*, if it happens to be in Advent); 4th, *Oratio Imperata* (if any); and the Mass will be read 'sine Gloria et cum Credo adhibito colore violaceo.' If, however, as happens next year, owing to the occurrence of the 1st Sunday of

¹ The original decree (March 22, 1922) prescribed also the recitation of the *Gloria*, but a correction in the *Acta Apost.*, May 8, 1922, indicates that this was a mistake. The correction reads: 'N.B.—Pag. 201 in II pro eo quod est 'cum Gloria et Credo' legendum; 'sine Gloria et cum Credo, adhibito colore violaceo.' Again it may be well to note that, though the Ordinary is empowered to prescribe this Votive Mass as the Mass of the day, the decree does not indicate that there is to be any prescription regarding the application of the Mass.

² Outside the special day once a year determined by the Ordinary, the Mass should be read 'sine Gloria et sine Credo'; for there is no mention of the *Credo* in the Mass of the Missal.

³ If the day fixed for the Mass precluded, according to the general rubrics, the saying of a private Votive Mass, only one such Mass in each church or oratory under the jurisdiction of the Ordinary would, in the opinion of the Editor of the *Ephem. Liturgicae*, be allowed (vide *Ephem. Liturg.*, May, 1922, p. 184).

Advent, the 2nd of December is not available for a Votive Mass, we understand that by the order of the Bishops the Votive Mass *de Propagatione Fidei* is to be read on the first free day following the Feast of St. Bibiana, viz., the Feast of St. Sabbas, 5th of December. The Prayers of the Mass will accordingly be—1st *De Fidei Propagatione*, 2nd *De Feria*, 3rd *de S. Sabba*, 4th *Oratio Imperata* (if any).

II

THE LAST GOSPEL OF THE MASS

According to the rubric of the Missal, if a Gospel is 'strictly proper' it shall take the place of the Last Gospel of St. John whenever the particular Mass is not said but is commemorated. The rubric clearly lays down certain Gospels which are to be regarded as 'strictly proper,' i.e., those of a Sunday, of a major Ferial, and Vigil, and there is no ambiguity about them; but there are many other Feasts occurring throughout the year about which doubt has arisen and uncertainty prevailed as to whether the Gospels assigned should be regarded as 'strictly proper' (*proprium*), or merely 'appropriated' from some other Feast. Writing on the matter in the October issue (1921) we stated in reply to a query: 'The Sacred Congregation, so far as we know, has not published any complete list of the Gospels that should be regarded as "strictly proper," and as a consequence, uncertainty prevails. There are Gospels which differ only very slightly from those assigned to other Feasts or to the Common, and it would certainly relieve anxiety in some cases if we had a list issued by the proper authority.'

The proper authority has at length issued the list in a decree, which we published in the August number (1922), and as a result much of the prevailing doubt and uncertainty disappears. According to the decree the Gospels of the following Masses are to be regarded as 'strictly proper' and read as the Last Gospel of the Mass:—

I. Masses of Mysteries, Feasts, or Persons 'quae insigni dignitate pollent,' viz., (a) of Our Lord, excepting the Mass of the Dedication of a Church; (b) of the Blessed Virgin, excepting the Mass of the Assumption; (c) of the Archangels and Angels-Guardian; (d) of St. John Baptist and St. Joseph; (e) of the Twelve Apostles.

II. The following particular Masses: (1) of the Holy Innocents; (2) of St. Mary Magdalen; (3) of St. Martha; (4) of the Commemoration of All the Holy Supreme Pontiffs; and (5) all the Votive Masses which appear in the new Missal from the Votive Mass of the Trinity to the Votive Mass of the Passion, inclusive.

This decree, though it does not settle all doubts¹ regarding the

¹ Some points like the following will still arise: (1) Does the expression 'Feasts of Twelve Apostles' include primary and secondary Feasts? (2) Are the Gospels of Feasts of St. Paul, St. Barnabas, St. Mark, St. Luke to be regarded as 'strictly proper' or merely 'appropriated'? (3) What is the 'etc.' at the end of the decree intended to signify or include? (See *Ephem. Liturg.*, Aug.-Sept. 1922, pp. 363-67.)

assignment of the Last Gospel in particular cases, will dissipate most of the uncertainty that prevailed regarding the interpretation of the rubric, and will, we are sure, be gladly welcomed by those entrusted with the compilation of the diocesan Calendars.

III

REQUIEM MASS ON THE OCCASION OF THE TRANSFERENCE OF THE
REMAINS FROM ONE SEPULCHRE TO ANOTHER

Heretofore the Mass on this occasion enjoyed only the ordinary privileges of a *Missa quotidiana*. By a decree, dated June 16, 1922 (see I. E. RECORD, August, 1922, p. 215), this Mass is now put on a par in point of privilege with those of the 3rd, 7th, and 30th days after burial, so that henceforth on such an occasion *one* Requiem Mass (sung or read) may be celebrated in any church, provided it is not a Sunday or holiday, a double of the 1st or 2nd class, a privileged Vigil, Ferial, or Octave. Moreover, if on the occasion the celebration of the Mass is impeded by the rubrics it may be anticipated, or transferred to the nearest day not similarly impeded, provided the Mass is sung.

We publish in this issue of the I. E. RECORD another important decree prescribing certain 'Additions to be made to the Roman Ritual' to which we shall direct attention in the next number.

M. EATON.

DOCUMENTS

PASTORAL LETTER OF HIS EMINENCE CARDINAL LOGUE, THE ARCHBISHOPS, AND BISHOPS OF IRELAND, TO THE PRIESTS AND PEOPLE OF IRELAND

[Issued after the General Meeting held at Maynooth College, Tuesday, October 10, and ordered to be read in all Churches and Public Oratories at the principal Masses, on Sunday, October 22, 1922.]

DEAR REV. FATHER AND BELOVED BRETHREN,

The present state of Ireland is a sorrow and a humiliation to its friends all over the world. To us, Irish Bishops, because of the moral and religious issues at stake, it is a source of the most painful anxiety.

Our country, that but yesterday was so glorious, is now a byword before the nations for a domestic strife, as disgraceful as it is criminal and suicidal. A section of the community, refusing to acknowledge the Government set up by the nation, have chosen to attack their own country as if she were a Foreign Power. Forgetting, apparently, that a dead nation cannot be free, they have deliberately set out to make our Motherland, as far as they could, a heap of ruins.

They have wrecked Ireland from end to end, burning and destroying national property of enormous value, breaking roads, bridges and railways, seeking by an insensate blockade to starve the people, or bury them in social stagnation. They have caused more damage to Ireland in three months than could be laid to the charge of British rule in so many decades.

They carry on what they call a war, but which, in the absence of any legitimate authority to justify it, is morally only a system of murder and assassination of the National forces—for it must not be forgotten that killing in an unjust war is as much murder before God as if there were no war. They ambush military lorries in the crowded streets, thereby killing and wounding not only the soldiers of the Nation but peaceful citizens. They have, to our horror, shot bands of these troops on their way to Mass on Sunday; and set mine traps in the public roads, and blown to fragments some of the bravest Irishmen that ever lived.

Side by side with this woeful destruction of life and property there is running a campaign of plunder, raiding banks and private houses, seizing the lands and property of others, burning mansions and country houses, destroying demesnes, and slaying cattle.

But even worse and sadder than this physical ruin is the general demoralization created by this unhappy revolt—demoralization especially of the young, whose minds are being poisoned by false principles, and

their young lives utterly spoiled by early association with cruelty, robbery, falsehood, and crime.

Religion itself is not spared. We observe with deepest sorrow that a certain section is engaged in a campaign against the Bishops, whose pastoral office they would silence by calumny and intimidation; and they have done the priesthood of Ireland, whose services and sacrifices for their country will be historic, the insult of suggesting a cabal amongst them to browbeat their Bishops and revolt against their authority.

And, in spite of all this sin and crime, they claim to be good Catholics, and demand at the hands of the Church her most sacred privileges, like the Sacraments, reserved for worthy members alone. When we think of what these young men were only a few months ago, so many of them generous, kindhearted, and good, and see them now involved in this network of crime, our hearts are filled with bitterest anguish.

It is almost inconceivable how decent Irish boys could degenerate so tragically, and reconcile such a mass of criminality with their duties to God and to Ireland. The strain on our country for the last few years will account for much of it. Vanity, and perhaps self-conceit, may have blinded some who think that they, and not the nation, must dictate the national policy. Greed for land, love of loot and anarchy have affected others, and they, we regret to say, are not a few. But the main cause of this demoralization is to be found in false notions on social morality.

The long struggle of centuries against foreign rule and misrule has weakened respect for civil authority in the national conscience. This is a great misfortune, a great drawback, and a great peril for a young Government. For no nation can live where the civic sense of obedience to authority and law is not firmly and religiously maintained. And if Ireland is ever to realize anything but a miserable record of anarchy, all classes of her citizens must cultivate respect for and obedience to the Government set up by the nation, whatever shape it takes, while acting within the law of God.

This defect is now being cruelly exploited for the ruin, as we see, of Ireland. The claim is now made that a minority are entitled, when they think it right, to take up arms and destroy the National Government. Last April, foreseeing the danger, we raised our voices in the most solemn manner against this disruptive and immoral principle. We pointed out to our young men the conscientious difficulties in which it would involve them, and warned them against it. Disregard of the Divine Law then laid down by the Bishops is the chief cause of all our present sorrows and calamities.

We now again authoritatively renew that teaching; and warn our Catholic people that they are conscientiously bound to abide by it, subject, of course, to an appeal to the Holy See.

No one is justified in rebelling against the legitimate Government, whatever it is, set up by the nation and acting within its rights. The opposite doctrine is false, contrary to Christian morals, and opposed to the constant teaching of the Church. "Let every soul," says St. Paul, "be subject to the higher powers"—that is, to the legitimate authority

of the State. From St. Paul downwards the Church has inculcated obedience to authority as a divine duty as well as a social necessity ; and has reprobated unauthorized rebellion as sinful in itself and destructive of social stability : as it manifestly is. For if one section of the community has that right, so have other sections the same right, until we end in general anarchy. No one can evade this teaching in our present case by asserting that the legitimate authority in Ireland just now is not the Dáil or Provisional Government. That Government has been elected by the nation, and is supported by the vast majority of public opinion. There is no other Government, and cannot be, outside the body of the people. A Republic without popular recognition behind it is a contradiction in terms.

Such being the Divine Law, the guerilla warfare now being carried on by the Irregulars is without moral sanction ; and, therefore, the killing of National soldiers in the course of it is murder before God ; the seizing of public or private property is robbery ; the breaking of roads, bridges, and railways is criminal destruction ; the invasion of homes and the molestation of citizens a grievous crime.

All those who, in contravention of this teaching, participate in such crimes, are guilty of the gravest sins, and may not be absolved in Confession, nor admitted to Holy Communion, if they purpose to persevere in such evil courses.

It is said that there are some priests who approve of this Irregular insurrection. If there be any such, they are false to their sacred office, and are guilty of the gravest scandal, and will not be allowed to retain the faculties they hold from us. Furthermore, we, each for his own diocese, hereby forbid, under pain of suspension, *ipso facto*, reserved to the Ordinary, any priest to advocate or encourage this revolt, publicly or privately.

Our people will observe that in all this there is no question of mere politics, but of what is morally right or wrong, according to the Divine Law, in certain principles and in a certain series of acts, whether carried out for political purposes or otherwise. What we condemn is the armed campaign now being carried on against the Government set up by the nation. If any section in the community have a grievance, or disapprove of the National Government, they have the elections to fall back upon, and such constitutional action as is recognized by God and civilized society. If their political views are founded on wisdom they will succeed sooner or later ; but one thing is certain, the Hand of Providence will not be forced nor their cause advanced by irreligion and crime.

It may perhaps be said that in this, our teaching, we wound the strong feelings of many of our people. That we know, and the thought is an agony to us. But we must teach the Truth in this grave crisis, no matter what the consequences. It is not for want of sympathy with any part of our flock that we interfere, but from a deep and painful sense of our duty to God, to our people, and out of true charity to the young men themselves specially concerned. Let it not be said that this, our teaching, is due to political bias, and a desire to help one political party. If that

were true, we were unworthy of our sacred office. Our religion, in such a supposition, were a mockery and a sham. We issue this Pastoral Letter under the gravest sense of our responsibility, mindful of the charge laid upon us by our Divine Master to preach His doctrine and safeguard His sacred rule of faith and morals at any cost. We must, in the words of St. Peter, 'Obey God rather than men.'

With all earnestness we appeal to the leaders of this saddest revolt to rise above their own feelings, to remember the claims of God and the sufferings of the people on their conscience, and to abandon methods which they now know, beyond the shadow of doubt, are un-Catholic and immoral, and look to the realization of their ideals along lines sanctioned by Divine Law and the usages of well-ordered society. Let them not think that we are insensible to their feelings. We think of them with compassion, carrying as they do on their shoulders the heavy responsibility for what is now happening in Ireland. Once more, we beg and implore the young men of this movement, in the name of God, to return to their innocent homes and make, if necessary, the big sacrifice of their own feelings for the common good. And surely it is no humiliation, having done their best, to abide by the verdict of Ireland.

We know that some of them are troubled and held back by the oath they took. A lawful oath is indeed a sacred bond between God and man; but no oath can bind any man to carry on a warfare against his own country in circumstances forbidden by the law of God. It would be an offence to God and to the very nature of an oath to say so.

We, therefore, hope and pray that they will take advantage of the Government's present offer, and make peace with their own country, a peace which will bring both happiness and honour to themselves and joy to Ireland generally, and to the friends of Ireland all over the world.

In this lamentable upheaval the moral sense of the people has, we fear, been badly shaken. We read with horror of the many murders recorded in the Press. With feelings of shame we observe that when country houses and public buildings were destroyed, the furniture and other fittings were seized and carried away by people in the neighbourhood. We remind them that all such property belongs in justice to the original owners, and now must be preserved for and restored to them by those who hold it.

We desire to impress on the people the duty of supporting the national Government, whatever it is, to set their faces resolutely against disorder, to pay their taxes, rents, and annuities, and to assist the Government in every possible way to restore order and establish peace. Unless they learn to do so they can have no Government, and if they have no Government they can have no nation.

As human effort is fruitless without God's blessing, we exhort our priests and people to continue the prayers already ordered, and we direct that the remaining October devotions be offered up for peace. We also direct that a Novena to the Irish Saints, for the same end, be said in all public churches and oratories, and in semi-public oratories, to begin on the 28th of October and end on November the 5th, in preparation

for the Feast of all the Irish Saints. These Novena devotions, in addition to the Rosary and Benediction, may include a special prayer for Ireland and the Litany of the Irish Saints.

- ✠ MICHAEL CARDINAL LOGUE, Archbishop of Armagh.
- ✠ EDWARD, Archbishop of Dublin.
- ✠ JOHN, Archbishop of Cashel.
- ✠ THOMAS, Archbishop of Tuam.
- ✠ PATRICK, Coadjutor Archbishop of Armagh.
- ✠ ABRAHAM, Bishop of Ossory.
- ✠ ROBERT, Bishop of Cloyne.
- ✠ JOSEPH, Bishop of Ardagh.
- ✠ PATRICK, Bishop of Kildare.
- ✠ DENIS, Bishop of Ross.
- ✠ THOMAS, Bishop of Galway.
- ✠ MICHAEL, Bishop of Killaloe.
- ✠ LAURENCE, Bishop of Meath.
- ✠ CHARLES, Bishop of Derry.
- ✠ PATRICK, Bishop of Clogher.
- ✠ PATRICK, Bishop of Kilmore.
- ✠ PATRICK, Bishop of Achonry.
- ✠ JAMES, Bishop of Killala.
- ✠ BERNARD, Bishop of Elphin.
- ✠ DANIEL, Bishop of Cork.
- ✠ JOSEPH, Bishop of Down and Connor.
- ✠ BERNARD, Bishop of Waterford.
- ✠ EDWARD, Bishop of Dromore.
- ✠ CHARLES, Bishop of Kerry.
- ✠ WILLIAM, Bishop of Ferns.
- ✠ DENIS, Bishop of Limerick.
- ✠ THOMAS, Bishop of Clonfert.
- ✠ JAMES, Coadjutor Bishop of Ossory.

CERTAIN ADDITIONS TO BE MADE IN THE ROMAN RITUAL

(August 9, 1922)

ADDITIONES FACIENDAE IN RITUALI ROMANO

TITULUS V

CAPUT I

DE SACRAMENTO EXTREMAE UNCTIONIS

Post rubricam n. 20, sequens instructio addatur: 21. *Quando pluribus simul infirmis hoc Sacramentum ministratur, Sacerdos singulis aegrotis crucem pie deosculandam porrigat, omnes preces quae unctiones praecedunt, plurali numero, semel recitet, unctiones cum respectivis formis super singulos aegrotos efficiat, omnes vero preces quae unctiones subsequantur, plurali numero semel dicat.*

CAPUT II

ORDO MINISTRANDI SACRAMENTUM EXTREMAE UNCTIONIS

N. 7 . . . *Mox dicat* : ‘In nómine Patris,’ etc., post verba ‘per invocationem’ addatur : ‘gloriosae et sanctae Dei Genitrícis Virginis Mariae eiúsque ínclýti Sponsi Ioseph, et ómnium,’ etc. (uti in Oratione tit. V, cap. 7, *Proficiscere*, etc.).

CAPUT VI

RITUS BENEDICTIONIS APOSTOLICAE IN ARTICULO MORTIS

Rubrica n. 7 compleatur per sequentem instructionem (depromptam ex appendice Breviarii Romani et ex Decreto S. R. C. diei 8 martii 1879, n. 3483) :

Si vero infirmus sit adeo morti proximus, ut neque confessionis generalis faciendae, neque praemissarum precum recitandarum suppetat tempus, statim Sacerdos Benedictionem ei impertiatur, dicendo :

‘Dóminus noster,’ etc., ut supra.

Et si mors proxime urgeat dicat :

‘Ego, facultáte mihi ab Apostólica Sede tribúta, indulgéntiam plenáriam et remissionem ómnium peccatorum tibi concédo. In nómine Patris ✠ et Fílli, et Spíritus Sancti. Amen.’

‘Per sacrosáncta,’ etc., ut supra.

Benedícat te,’ etc., ut supra.

In casu vero necessitatis sufficit dicere :

‘Ego, facultáte mihi ab Apostólica Sede tribúta, indulgéntiam plenáriam et remissionem ómnium peccatórum tibi concédo, et benedíco te. In nómine Patris ✠ et Fílli, et Spíritus Sancti. Amen.’

Post n. 4 addatur :

N. 5. *Quando huiusmodi Benedictio Apostolica pluribus simul infirmis impertitur, omnia dicantur semel ut supra, singulari tantum numero in pluralem immutato.*

‘N. 6. *Postea dicit* : V. Adiutórium,’ etc.

CAPUT VII

ORDO COMMENDATIONIS ANIMAE

In Oratione ‘Proficiscere,’ etc., post verba ‘Virginis Mariae’ addatur : ‘in nómine beáti Ioseph, ínclýti eiúsdem Vírginis Sponsi.’

In Oratione ‘Comméndo te,’ etc., post verba ‘te compléxus astríngat’ addatur : ‘Sanctus Ioseph, moriéntium Patrónus dulcíssimus, in magnam spem te érigat.’

Post Orationem ‘Clementíssima Virgo,’ etc., addatur sequens :

Oratio

‘Ad te confúgio, Sancte Ioseph, Patrónus moriéntium, tibíque, in cuius beáto tránsito vígiles adstitérunt Iesus et María, per hoc utrúmque caríssimum pignus, ánimam huius fámuli (vel fámulae) N. in extrémó agóne laborántem enixe comméndo, ut ab insidiis diáboli, et a morte perpétua, te protegénte, liberétur, et ad gáudia aeterna pervenire mereátur. Per Christum Dóminum nostrum.

‘R. Amen.’

CAPUT VIII

IN EXSPIRATIONE

Post verba 'hora mortis súscipe' addatur: 'Sancte Ioseph, ora pro me. Sancte Ioseph, cum beáta Vírgine Sponsa tua, áperi mihi divínae misericórdiae sinum.

'Iesu, María, Ioseph, vobis cor et ánimam meam dono.

Iesu, María, Ioseph, adstáte mihi in extrémó agóne.

'Iesu, María, Ioseph, in pace vobíscum dórmiam et requiέscam.'

ROMANA

Has variationes, sive Instructiones et Orationes titulo V Ritualis Romani, opportune ac respectivis in locis addendas, a Sacra Rituum Congregatione propositas, Sanctissimus Dominus Noster Pius Papa XI, referente infrascripto Cardinali eiusdem Sacri Consilii Praefecto, suprema auctoritate Sua approbavit, et in futuris editionibus eiusdem Ritualis inseri iussit.

Die 9 augusti 1922.

✠ A. CARD. VICO, Ep. Pórtuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, *Secretarius*.

DOUBTS REGARDING THE PROPER INTERPRETATION OF CERTAIN CANONS OF THE NEW CODE SOLVED BY THE PONTIFICAL COMMISSION

(July 14, 1922)

ACTA OFFICIORUM

PONTIFICIA COMMISSIO

AD CODICIS CANONES AUTHENTICE INTERPRETANDOS

DUBIA

SOLUTA IN PLENARIIS COMITIIS EMÓRUM PATRUM

I

De acquisitione domicilii (can. 93)

Utrum uxor, a viro malitiose deserta, possit, ad normam can. 93, § 2, obtinere proprium ac distinctum domicilium.

Resp. Negative, nisi a iudice ecclesiastico obtinuerit separationem perpetuam, aut ad tempus indefinitum.

II

De obligationibus clericorum (cann. 130, 590)

1. Utrum parochi vel vicarii curati religiosi examen, de quo in can. 130, § 1, subire teneantur coram Ordinario eiusve delegato, si coram Superiore religioso eiusve delegatis examen subierint, de quo in can. 590.

Et quatenus negative :

2. Utrum in casu negligentiae Superiorum religiosorum circa examen, de quo in cit. can. 590, Ordinarius loci cogere possit religiosos istos ut examen, ad normam cit. can. 130, § 1, coram se suisve delegatis subeant.

Resp. Ad 1 Negative.

Ad 2. Recurrendum esse in casu ad S. C. de Religiosis.

III

De amissione officiorum ecclesiasticorum (can. 189, 191)

1. Utrum, ad normam can. 189, § 2, Ordinarius renuntiationem valide acceptare possit, elapso iam integro mense a renuntiatione facta, quin nova intercesserit resignatio.

Resp. Affirmative, nisi resignatarius ante acceptationem renuntiationis, renuntiationem Ordinario exhibitam revocaverit, et revocationem Ordinario significaverit.

2. Utrum, ad normam can. 191, § 1, resignans renuntiationem revocare valeat ante acceptationem.

Resp. Affirmative.

IV

De parochis (can. 460)

1. Utrum can. 460, § 2, applicetur dumtaxat ad paroecias erigendas post promulgationem Codicis; an etiam ad paroecias iam erectas.

Et quatenus negative ad 1^{am} partem, affirmative ad 2^{am}.

2. Utrum idem canonis praescriptum applicetur etiam paroeciis, in quibus pluralitas parochorum inducta est non consuetudine aut privilegio, sed legitimo statuto.

Et quatenus affirmative:

3. Utrum iura iam quaesita parochis, ut aiunt, proportionariis seu cumulativis, integra maneant tum quoad spiritualia, tum quoad temporalia; an vero revocentur etiam quoad temporalia.

Et quatenus negative ad 1^{am} partem, affirmative ad 2^{am}:

4. Utrum cura animarum principalis et unica tribuenda sit parochi qui praecminentiam honoris habeat prae aliis; an vero antiquiori possessione.

Resp. Ad 1. Negative ad 1^{am} partem; affirmative ad 2^{am}.

Ad 2. Affirmative.

Ad 3 et 4. Provisum in praecedentibus; pro applicatione vero canonis ad hos casus particulares recurrendum esse ad S. C. Concilii.

V

De vicariis substitutis et suppletibus quoad assistentiam matrimonii (can. 465, §§ 4 et 5)

1. Utrum vicarius substitutus, de quo in can. 465, § 4, possit post Ordinarii approbationem licite et valide assistere matrimoniis, si nulla limitatio apposita fuerit.

2. Utrum idem vicarius id possit etiam ante Ordinarii approbationem

3. Utrum idem vicarius parochi religiosi id possit post approbationem Ordinarii, sed ante approbationem Superioris religiosi.

4. Utrum vicarius, seu sacerdos supplens, de quo in cit. can. 465, § 5, id possit ante approbationem Ordinarii.

Resp. Ad 1. Affirmative.

Ad 2. Negative.

Ad 3. Affirmative.

Ad 4. Affirmative, quoadusque Ordinarius, cui significata fuit designatio sacerdotis suppletis, aliter non statuerit.

VI

De vicariis oeconomis quoad applicationem Missae pro populo
(cann. 466, 473)

Utrum vicarius oeconomus, qui plures paroecias tempore vacationis regit, unam tantum debeat Missam pro populis sibi commissis diebus praescriptis applicare.

Resp. Affirmative, ad normam can. 473, § 1, collati cum can. 466, § 2.

VII

De transitu ad aliam religionem (can. 634)

Utrum suffragium Capituli in admittendo religioso, de quo in can. 634, ad professionem sollemnem aut simplicem perpetuam, habeat vim deliberativam; an tantum consultivam.

Resp. Affirmative ad 1^{am} partem; negative ad 2^{am}.

VIII

De collati baptismi adnotatione (can. 777)

An verbum *illegitimi* canonis 777, § 2, omnes omnino comprehendat illegitime natos, etiam adulterinos, sacrilegos, ceterosque spurios, ita ut liceat parentum ipsorum cognomina inscribere in adnotatione collati baptismi.

Resp. Nomina parentum ita inserenda esse, ut omnis infamiae vitetur occasio: in casibus vero particularibus recurrendum esse ad S. C. Concilii.

IX

De irregularitatibus aliisque impedimentis (can. 987)

Utrum nomine *filiorum*, de quibus in can. 987, n. 1, intelligendi sint tantum descendentes in linea paterna usque ad primum gradum.

Resp. Affirmative.

X

De custodia ac cultu sanctissimae Eucharistiae (can. 1274)

Utrum ecclesiae, in quibus, ad normam can. 1274, § 1, sine Ordinarii licentia fieri potest expositio publica seu cum ostensorio die festo Corporis Christi et infra octavam inter Missarum sollemnia et ad Vesperas, sint illae tantum quibus datum est asservare sanctissimam Eucharistiam.

Resp. Affirmative, firmo praescripto can. 1171.

XI

De reductione onerum Missarum (cann. 1517 et 1551)

Utrum Ordinarius, ad normam can. 1517 et can. 1551, ob imminutos redditus, onera Missarum reducere valeat, si id in tabulis foundationum expresse caveatur.

Resp. Affirmative.

XII

De foro competentī (can. 1565)

Utrum, ad normam can. 1565, § 1, pars ratione contractus conveniri possit coram Ordinario loci, in quo contractus initus est vel adimpleri debet, etiamsi e loco discesserit.

Resp. Negative, salvo praescripto § 2 citati canonis.

XIII

De sententia (cann. 1874 et 1894)

Utrum, ad normam can. 1874, § 5, et can. 1894, n. 3, nullitatis vitio laboret sententia lata a tribunali collegiali, et subscripta tantum a praeside tribunalis et notario.

Resp. Affirmative.

XIV

De foro competentī in causis matrimonialibus (can. 1964)

1. Utrum uxor, a viro malitiose deserta, eum in causa matrimoniali, ad normam can. 1964, convenire possit coram Ordinario proprii ac distincti quasi-domicilii; an vero convenire debeat coram Ordinario domicilii vel quasi-domicilii viri.

Resp. Negative ad 1^{am} partem; affirmative ad 2^{am}.

2. Utrum actrix catholica, a viro non legitime separata, quae proprium ac distinctum quasi-domicilium habet, virum acatholicum in causa matrimoniali, ad normam can. 1964, convenire possit tantum coram Ordinario proprii ac distincti quasi-domicilii; an vero etiam coram Ordinario domicilii viri.

Resp. Cum uxor in casu habeat proprium ac distinctum quasi-domicilium, et sequatur domicilium viri, potest virum convenire coram alterutro Ordinario.

XV

De subiecto coactivae potestati obnoxio (can. 2233)

Utrum, ad normam can. 2233, § 2, ob violationem praecepti peculiaris, quod communitum erat censura ferendae sententiae, statim post delictum comprobatum censura infligi possit; an vero praemittenda sit nova monitio.

Resp. Affirmative ad 1^{am} partem; negative ad 2^{am}.

Romae, 14 iulii 1922.

P. CARD. GASPARRI, *Praeses*.
ALOISIUS SINCERO, *Secretarius*.

AUTHENTIC INTERPRETATION BY THE PONTIFICAL COMMISSION OF TWO CANONS OF THE 'CODEX'

(July 1, 1922)

PONTIFICIA COMMISSIO AD CANONES AUTHENTICE INTERPRETANDOS
DUBIA

SOLUTA IN PLENARIIS COMITIIS EMORUM PATRUM

De electione et postulatione

1. Utrum ad normam can. 180 § 1, concurrente postulatione cum electione, si in primo, altero et tertio scrutinio suffragia dividantur inter postulatum et eligibilem, atque nec postulatus duas tertias partes suffragiorum obtinuerit, nec eligibilis maioritatem absolutam, sed relativam tantum, hic valide electus sit.

2. Si plures sint eligibiles, utrum valide electus sit qui inter eos maioritatem, obtinuerit relativam.

Resp.: Ad 1^{um} affirmative, seu in tertio scrutinio valide eligi maiori-
tate relativa, escluso postulato.

Ad 2^{um} affirmative, seu inter eligendos valide eligi eum qui obtinuit
maioritatem relativam, escluso hoc quoque in casu postulato.

De reservatione dignitatum.

Utrum ad normam can. 896 § 1 Sedi Apostolicae reservetur collatio
dignitatum, quae nullam praebendam, nulla emolumenta, aut valde
exigua adnexa habeant.

Resp.: Affirmative.

Romae, 1 iulii 1922.

P. CARD. GASPARRI, *Praeses.*
ALOISIUS SINCERO, *Secretarius.*

ENCYCLICAL LETTER OF THE HOLY FATHER TO THE
ORDINARIES OF ITALY PRAYING FOR PEACE WITHIN
THE CONFINES OF ITALY

(August 6, 1922)

EPISTOLA APOSTOLICA

AD ITALIAE ORDINARIOS : DE PACIS INTRA FINES ITALIAE RECONCILIATIONE
IMPETRANDA

PIUS PP. XI

VENERABILI FRATELLI

SALUTE E APOSTOLICA BENEDIZIONE

I disordini che funestarono l'Italia nelle passate settimane, recarono
a quanti amano di sincero affetto la loro patria, un profondo dolore
insieme ad angoscioso timore per l'avvenire. Mentre la triste condizione

dell'Italia più altamente richiede l'unanime concorso di tutti gli ordini dei cittadini, per riparare in qualche modo le tante rovine accumulate dalla guerra, le passioni di parte li travolgono in conflitti sanguinosi.

La sublime missione di pace e di amore che il divin Redentore Ci volle affidata in tempi sì tristi, e con essa anche il congenito senso della carità di patria nobilitato, non estinto, dalla universalità della Nostra cura pastorale, non Ci consente di restare più oltre silenziosi di fronte a così doloroso spettacolo. Possa questo grido di pace essere raccolto da tutti i Nostri figli d'Italia !

Purtroppo la tempesta immane che è passata sulla terra, ha lasciato anche in Italia, anzi più in Italia che altrove, tristissimi germi di odio e di violenza, mentre ha sopito in molti l'orrore naturale del sangue. Quindi vediamo le fazioni moltiplicarsi, i loro seguaci inasprirsi ogni giorno più, trascorrendo spesso, ora da una parte ora dall'altra, a sanguinose offese con uno strascico interminabile di rappresaglie che sconvolgono tutta la compagine della vita sociale. Di qui danni immensi, così all'estero pel compromesso prestigio, come all'interno, sia nell'ordine materiale, economico e finanziario, sia nell'ordine morale e religioso, ai quali andrà anche congiunta, se non si prendono in tempo i necessari provvedimenti, una inevitabile decadenza intellettuale. Tali sono le conseguenze di questa guerra fratricida, la più contraria agli elementari principî di civiltà cristiana, nonchè al genuino spirito della carità divina, che è l'essenza del cattolicesimo.

Il rimedio a questi mali non può aversi che dal ritorno a Dio dalla piena osservanza della sua legge, il cui disprezzo fu causa di tante sciagure, secondo la parola del Signore al suo popolo (Isaia, xlvii. 18) : ' Utinam attendisses mandata mea ; facta fuisset sicut flumen pax tua.' Ritornino dunque gli uomini a Gesù che volle a prezzo del suo sangue renderli tutti fratelli. Tornando a lui, gli uomini si ameranno anche fra loro, perchè nell'amore di Dio e del prossimo è contenuta tutta la legge evangelica : ' In his duobus mandatis universa lex pendet et prophetae ' (Matt. xxii. 40) ' anzi secondo la sublime dottrina di S. Agostino (*Tract. 65 in Ioan.*, 2) : ' Ad hoc Christus non dilexit ut et nos diligamus invicem, hoc nobis conferens diligendo nos, ut mutua dilectione constringamur inter nos, et, tam dulci vinculo connexis membris, corpus tanti Capituli simus.' E col ritorno di tutti a Gesù, verranno pure regolati i rapporti sociali fra reggitori e sudditi, tra popoli e Governi, sui quali posa ogni bene ordinata società, e che sono disciplinati mirabilmente sin nei loro dettagli dalla legge evangelica. Anche in mezzo alle più violente vessazioni dei potenti, il Principe degli Apostoli (1 Petr. ii. 13) raccomandava ai primi fedeli : ' Subiecti . . . estote . . . sive Regi quasi prae excellenti, sive ducibus tamquam ab eo missis ad vindictam malefactorum, laudem vero bonorum : quia sic est voluntas Dei ut beneficientes obmutescere faciatis imprudentium hominum ignorantiam : quasi liberi et non quasi velamen habentes malitiae libertatem, sed sicut servi Dei.'

Ora, come con tanta eloquenza ed efficacia insegna Leone XIII nella sua Enciclica *Immortale Dei*, del 1 novembre 1885, e nel discorso agli

Emi Cardinali dell' 11 aprile 1899, la missione della Chiesa si è appunto di riconciliare gli uomini con Dio e così ricondurre fra essi la pace e la fratellanza cristiana ed insieme la prosperità sociale, secondo anche la promessa divina: 'Sedebit populus meus in pulcritudine pacis et in tabernaculis fiduciae et in requie opulenta' (Isaia xxxii. 18). Non ignoriamo, venerabili fratelli, la vostra fedeltà a questa divina missione della Chiesa; continuate con zelo sempre più intenso, in questi trepidi giorni soprattutto, l'opera vostra pacificatrice, che è pure una parte non ultima di quel *ministerium reconciliationis* che a noi ha dato il Signore, conforme alla parola dell'Apostolo (2 Cor. v. 18). Continuatela nella istruzione e nella direzione illuminata delle anime; continuatela con tutti i mezzi propri del vostro alto ufficio pastorale e sopra ogni altro con la preghiera privata e pubblica, già tanto raccomandata dal Nostro Predecessore, il quale volle, egli stesso, darne l'esempio e proporne la formula commovente. Sarete con ciò insieme benemeriti della Chiesa e del civile consorzio, meritando ciascuno di voi la lode che la Chiesa nella sua liturgia applica ad ogni santo Pastore: 'Ecce Sacerdos magnus qui . . . in tempore iracundiae factus est reconciliatio' (Eccl. xlv. 18).

Di questa riconciliazione degli animi sia intanto pegno ed auspicio l'Apostolica Benedizione che di cuore impartiamo a voi, venerabili fratelli, al vostro clero e a tutti i fedeli alle vostre cure commessi.

Dal Vaticano, li 6 agosto 1922.

PIUS PP. XI.

DOUBT REGARDING MASSES WITHIN A PRIVILEGED OCTAVE OF THIRD CLASS

(July 8, 1922)

SACRA CONGREGATIO RITUUM

DUBIUM

DE MISSIS INFRA OCTAVAM PRIVILEGIATAM III ORDINIS

Expostulatum est a Sacra Rituum Congregatione: 'Utrum infra Octavam privilegiatam tertii ordinis, uti est, Romae, Octava Ss. Petri et Pauli Apostolorum, occurrente festo ritus semiduplicis, dici possint Missae de ipsa Octava; an prohibeantur per novas Missalis Rubricas, tit. IV, n. 5 ?

Et Sacra eadem Rituum Congregatio, audito specialis Commissionis voto, omnibus perpensis, respondendum censuit :

'Affirmative ad primam partem, negative ad secundam; et Rubrica intelligenda est de Officiis ab ipsa Octava extraneis.'

Atque ita rescripsit et declaravit. Die 8 iulii 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, Secretarius.

DECREE FOR THE BEATIFICATION AND CANONIZATION OF THE VENERABLE SERVANT OF GOD, MARY MICHAEL OF THE BLESSED SACRAMENT, FOUNDESS OF THE SISTERS OF THE BLESSED SACRAMENT

(June 11, 1922)

SACRA CONGREGATIO RITUUM

VALENTINA

BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVÆ DEI MARIAE MICHAELÆ
A SANCTISSIMO SACRAMENTO, FUNDATRICES ANCILLARUM SANCTISSIMI
SACRAMENTI ET CARITATIS

SUPER DUBIO

An constet de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum; nec non de cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis, in gradu heroico, in casu et ad effectum, de quo agitur?

Vitae venerabilis Ancillae Dei Mariae Michaëlae a Sanctissimo Sacramento duae sunt partes, quarum unam in saeculo illa traduxit ad septimum ac trigesimum aetatis suae annum; alteram vero, uti Fundatrix et suprema Antistita pii Instituti, cui Sororum seu Ancillarum Sanctissimi Sacramenti et Caritatis inditum est nomen, ad obitum usque exegit, quaeque undeviginti annorum conclusa fuit spatio. Quae quidem binae vitae partes etsi prima fronte et externo veluti ex cortice non pares inter se, sed dissonae potius esse videantur, nihilominus, si, uti sapientem quemque nec temere iudicantem maxime decet virum, sedulo considerateque inspiciantur et perpendantur, mira exsurgit concordia, qua efficitur, ut penitus inquirenti et pervestiganti arcta cognatione invicem coniunctas eadem se sistant, seque mutuo quodam et amico foedere sociatas probent.

Quapropter, vel tunc, cum a mundanis illecebris nondum se penitus subtraxerat Dei Famula, eisque adhuc manebat implicita, quippe e nobilissimo et praedivite gentis suae statu copiose manabant, ipsam Mariam Michaëlam gaudet animus suspicere atque admirare non pauca et praeclara edentem generosae virtutis specimina, quae eo tanti pluris sunt facienda, quo adversantia magis et repugnantia prorsus erant adiuncta, quibus in mediis eidem Ancillae Dei crebro nimis fermeque quotidie versari obtigerat. Quod si una simul cum hisce eximiarum virtutum actibus interdum accidat, eiusdem venerabilis Mariae Michaëlae quosdam etiam deprehendere incompositos irascentis animi motus, exinde qui autumaret statim ducere se posse contra Famulae Dei sanctitatem argumenta, non mediocriter opinione sua ille falleretur.

Siquidem ingressa quum fuerit venerabilis Maria Michaëla christianae perfectionis semitam, praefatae semitae superius descripta statione nequaquam substitit; si substitisset enim, sacer his Ordo vocatus fortasse non suisset umquam ad heroicas eiusdem discutiendas virtutes. Ast, cui mature admodum se commiserat, animose prosecuta postmodum

est illa iter ; in eoque quot quantaque factae ab ipsa fuerint ad extremam usque vitae lineam progressionem ; eaque quanto in pretio modo essent habendae, certo vereque addiscere in primis oportet ex diuturna illa, adsidua, strenua, interna atque externa pugna, quae eidem subeunda fuit Dei Ancillae atque perditu fructuoseque sustinenda. Istiusmodi namque pugna eo asperior evasit in dies, quo difficilius et salebrosius sese praebebat illud salutare adeo, adeoque providum redemptionis opus, quod multorum hominum animum viresque gerens, perficiendum suscepit, susceptumque omnigena inter obstacula, contradictiones atque convicia alacriter invicteque ad aptatum Ancilla Dei perduxit exitum.

Ita, utramque inter, superiorem nempe et alteram, quae subsecuta subinde fuerat, vitae periodum, qui exstitit foras egreditur nexus, fitque manifestus. Quandoquidem e celsissima, in qua locata erat, sede, ultro libenterque descendens, cum ad miserrimas eas puellas venerabilis Maria Michaela materna caritate accessit, ut e vitiorum coeno, quo dilapsae fuerant, eriperet, atque Deo civilique cultui restitueret, nedum pericula et insidias, quibus passim obnoxiae illae fiebant, ipsamet, adhuc in saeculo degens, pernoverat Dei Famula, verum et secum quoque attulerat quam natura sortita fuerat promptam quidem et alacrem indolem, sed fervidam adeo, ut quandoque discurreret ad iram ; eiusmodi videlicet indolem, quam conditi Sodalitii magnopere deposcebant initia.

Itaque, quum, omnia fortiter et suaviter disponente divite semper in misericordia Deo, quo iugiter constanterque spectaverat, ut vocanti Deo obtemperaret suamque perficeret vocationem, eo fauste feliciterque advenerit venerabilis Dei Ancilla, duplicem illa adepta esse dicenda est victoriam : unam scilicet, cum, cunctis devictis difficultatibus profligatisque impedimentis, benemerentissimam erexit Ancillarum Sanctissimi Sacramenti et Caricatis Sodalitatem, quae conspicuus non minus quam uberes suos pergit ferre et perennare fructus ; alteram autem, ad bonum trahendo et perducendo, quas nascendo naturales contraxerat propensiones ita nempe ut, acri perpetuoque, quod Dei Famula sibi indixerat, bello, eadem naturales propensiones correctae et emendatae, mirabiliter conversae postea fuerint in praecipuas sui operis seu apostolatus dotes, aut clarius, in apta atque idonea instrumenta. Utramque vero tertia mirifice adauxit cumulavitque victoria, quam in nobilissimae mortis genere, qua sublata est, nacta fuit venerabilis Dei Ancilla : martyr quippe occubuit caritatis.

Quibus ex omnibus illud comprobatur et patescit, in quo lectissimae huius Causae intimum situm est meritum ; Causaeque ipsius quantum insuper pondus excrescat atque momentum e proxime celebratis Eucharisticis solemnibus, quae omnium adhuc obversantur oculis, per se ipsa efficacius loquitur et eloquentius clamat res, quin eam opus sit inconcinnis planeque imparibus adumbrare verbis. Nil propterea mirum, si haec venerabilis Famulae Dei Mariae Michaelae a Sanctissimo Sacramento Beatificationis causa a rec. me. Leone Papa XIII digna habita fuerit, quae sacrae rituum Congregationi cognoscenda committeretur,

eademque, introducta quum fuerit, minoribus interea superatis iudiciis, adeo progressa deinceps fuerit, ut, abhinc sexennium, super virtutibus heroicis instituere licuerit actionem, quae, ceu de more, in tribus agitata est Congregationibus; antepraeparatoria nimirum, praeparatoria et generali, anno superiore, die vigesima sexta mensis aprilis, coram felicis recordationis Benedicto Papa XV habita.

Quam ob rem, cunctis, quae huc usque satis copioseque utrumque fuerant disceptata, fideliter religioseque resumptis, eisque per nova etiam studia auctis et illustratis, Sanctissimus Dominus noster Pius Papa XI compertum facere sibi valuit atque exploratum, quae pro Causa definienda necessaria forent, cuncta praesto esse elementa. Verumtamen, quum tam gravis momenti negotium in deliberatione versaretur, Beatissimus Pater diuturnis precibus sibi concedendum sese spatium est ratus, antequam supremam Suam ederet sententiam. Quumque eandem manifestam facere statuisset, hodiernam designavit diem Dominicam, qua Sanctissimae Trinitatis percolitur Mysterium; ideoque piissime perlitato Eucharistico sacrificio, ad Vaticanas aedes arcessiri voluit Reverendissimum Cardinalem Antonium Vico, Episcopum Portuensem et S. Rufinae, sacrae rituum Congregationi Praefectum, causaeque Relatorem, una cum R. P. Angelo Mariani, Fidei Promotore generali, meque insimul infrascripto Secretario, eisque adstantibus, solemniter edixit: *Constare de virtutibus theologalibus, Fide, Spe et Caritate in Deum et proximum; nec non cardinalibus, Prudentia, Iustitia, Fortitudine et Temperantia earumque adnexis venerabilis Servae Dei Mariae Michaelae a Sanctissimo Sacramento, in gradu heroico, in casu et ad effectum, de quo agitur.*

Hoc decretum in vulgus edi, et in acta sacrae rituum Congregationis inseri iussit tertio idus iunii, anno MCMXXII.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, Secretarius.

REVIEWS AND NOTES

THEORY OF ADVANCED GREEK PROSE COMPOSITION. Parts I and II
By John Donovan, S.J., M.A. Oxford: Basil Blackwell.

THE writing of a treatise on Greek Prose Composition always runs the risk of being a thankless task. The teacher of experience, who is interested in his work, will generally follow his individual bent in teaching Greek Composition, and will refuse to swear allegiance to any master. He will be inclined to evolve some method of his own, especially in dealing with advanced pupils, who have been initiated into the mysteries of Greek prose. For all that, he will not scorn any help that will lighten his task, and I venture to say that there is no teacher, whatever his idiosyncrasies may be, that will not derive generous assistance from this treatise of Father Donovan. The plan of the treatise is admirable. In the opening part Father Donovan deals with the functions of the various syntactical formulae and of the different parts of speech in Greek. Every phase of the subject is abundantly illustrated. The author, if one may judge from the motto that adorns his title-page, believes fully in the virtue of examples, and draws them without stint from the rich store-house of his reading. The second portion of the treatise is even of greater value and should be welcomed by every teacher and every serious student of Greek. While in dealing with the functions of the various parts of speech, Father Donovan aims at bringing into prominence the difference between Greek and English idiom, in this portion he deals *ex professo* with the fundamental difference between the Greek and English tongues. Naylor has attempted a similar task in the case of Latin by studying a single author, Livy. Father Donovan is more comprehensive and ranges for his examples over the whole course of classical Greek prose. The realism, the directness and concreteness of Greek, as compared with English, are insisted upon and profusely illustrated. He devotes a special chapter to the study of figurative language in Greek and English. I hope that, when a second edition of this treatise is called for, as it inevitably will be, the author will see his way to extend his treatment of this subject. The range of metaphor, even of faded metaphor, helps us, perhaps better than any other characteristic of a language, to appreciate the genius and mental outlook of the people who employ it. The study of such a subject is especially fascinating in the case of a race of such high intellectual development as the Greeks.

Part III of this treatise has yet to appear, but Father Donovan's work, as far as it has gone, can be recommended without reservation to all who are interested in understanding the individuality of Greek prose.

THE MISSAL. Compiled by lawful authority from the *Missale Romanum*. A new edition, revised and enlarged. London: Burns, Oates, and Washbourne, Ltd.

THIS is the eighth edition of this very valuable work, the Roman Missal for the Laity translated into English, with appropriate directions both as to the arrangement of the book and the rubrics regulating the several parts of it. It has been revised in accordance with the new Vatican edition of the Missal, and its value is greatly increased by the addition of supplements containing the Masses for the Feasts proper to England and Wales, Scotland, Ireland, and other English-speaking countries, and also those of the greater Religious Orders. The book throughout indicates that great care has been expended in its production; it is thoroughly up-to-date, even in matters of detail, and the paper, printing, and binding are quite up to the standard of the best Continental publishers. It is the only Missal for the Laity in which we have the rubrics printed in their traditional colour, a feature which undoubtedly relieves the monotony and enhances the beauty of the page. Printing alternately in black and red is expensive, but we do not think anybody will find fault with the book on the score of price. Considering that it contains in all 1,179 closely printed pages, and that it is handsomely bound in black cloth, the price, 6s., is eminently reasonable. As a prayer-book for the Laity there is none to compare with this translation of the Missal, for it contains the official Prayers of the Church, dating back to the earliest ages and sanctified by their use and intimate association with the Holy Sacrifice of the Mass.

THE SACRISTAN'S HANDBOOK. A practical Guide for Sacristans. By Bernard Page, S.J. London: Burns, Oates, and Washbourne, Ltd.

THIS little book, the author tells us in a Prefatory Note, has been compiled as an aid to the zealous and hardworked sacristan in the performance of his duties. It is not a pretentious volume, but it is highly opportune, and contains a store of information of the greatest utility to the sacristan, whether lay or clerical. The book is both theoretical and practical; it gives the meaning and origin of the several equipments of the church, altar, and sacristy, with appropriate sketches illustrating the most suitable form of each, and it contains instructions and practical hints as to the use, care, and custody of everything connected with the church. We commend to those in charge of sacristies a perusal of the two chapters, 'The Care of the Church and its Contents' and 'How to Clean the Church and its Contents': many of the suggestions given therein come home with such telling force that we should like to see them printed on a special card and hung up in a conspicuous place in the sacristies of many of our churches up and down the country. The priest who presents a copy of this little book to the sacristan of his church, and underlines for his special attention some of its more valuable suggestions, will be doing a useful and meritorious work, even though immediate results may not seem to compensate him for the outlay. The book is published at 3s. 6d.

BOOKS, ETC., RECEIVED.

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The Rosary Magazine (October). Somerset, Ohio.

The Catholic World (October). New York.

The Ave Maria (October). Notre Dame, Indiana.

The Catholic Bulletin (October). Dublin : M. H. Gill & Son, Ltd.

The Irish Monthly (October). Dublin : M. H. Gill & Son, Ltd.

The Month (October). London : Longmans.

Études (October). Paris : 12 Rue Oudinot (VII^e).

Revue Pratique d'Apologétique (October). Paris : Beauchesne.

The Fortnightly Review (October). St. Louis, Mo.

The Lamp (October). Garrison, N.Y.

Revue des Jeunes (October). Paris : 3 Rue de Luynes.

The Dublin Review (October-December). London : Burns, Oates and Washbourne.

The Confessions of Father Baker. London : Burns, Oates and Washbourne.

The Mystery of Jesus. By Dom S. Louismet. London : Burns, Oates and Washbourne.

GRACE ABOUNDING

A CHAPTER OF IRELAND'S STORY—I

BY REV. E. J. QUIGLEY

'Since the war a number of Protestant organizations in France have been busy, especially in the devastated regions, in propaganda carried on among the Catholic population, often under the guise of philanthropic work, subversive to the faith of the people. At Chateau Thierry, in the Aisne Department, for instance, a whole network of Protestant institutional activity has been set up, embracing crèches, clubs for young persons, excursions, etc., and a Methodist church is in course of erection. The village of Quievz, near Cambrai, is said to be entirely under Protestant domination, and active Protestant work is going on also at St. Quentin Reims, and other places.'—*The Tablet*, May 18, 1922.

WHEN St. Paul lay dying he consoled himself with the thought that he had kept the faith. Through all his letters the dominant note is the faith. In his eyes it was something so sublime and essential that it filled his every thought. To us it seems strange to read of an apostle taking comfort in his own keeping the faith. It seems a small consolation, for in our island and in our time, the loss of faith is an event of rare occurrence, and the keeping of the faith is reckoned hardly as a virtue or a good work, and yet it is the essential of salvation. But to St. Paul the grace of faith was a vivid thing. For he had seen the many temptations, the many tempted, the falls from, and the victories of, the faith. He had seen how learning, pride, subtlety, fear, love of gain, cowardice had drawn many from Christ. Even in his day, many fell away from Christianity. We are often inclined to believe that in the early Church all Christians were, through God's abounding grace, true and staunch. Text-books and lectures taught us that universals and superlatives generally hide falsehood; yet the frequent readings of the lives of martyrs in our breviaries, and perhaps the early memories

of our reading of stories like *Fabiola* and *Quo Vadis* make us hero worshippers, and lead us to believe that few, if any, were apostates in the glowing days of early Christianity. Sober history, like M. Allard's work, makes us reconsider our judgments and recognize the sad fact that 'perils from false brethren' were real, constant, universal dangers in the early Church, and that false and weak brethren, *lapsi*, were many. Crowds of Christians in the day of battle fled from the standard of Christ. Whole districts proved weak and cowardly, countries converted by the Apostles, peoples who saw their miracles and their wonders of grace, fell, some gradually and some quickly, from faith in the Crucified. Some lands and people fell away in the early Christian era; some in later days.

To me it is a wonder how England lost her faith; or how a country having a long established and splendidly organized Church perished before the Tudor tyranny. Explanations many and learned have been given of that mighty apostasy; but there is something inexplicable in it all. How can be explained the apostasy of her nobles, her clergy, her great and pious people? Who can explain the sudden and complete apostasy of whole monasteries, friaries, parishes, districts? To be sure, there were many heroes, sustained wonderfully by God's grace abounding. But who can explain the great defection of that glorious Church, that great people, and that noble land, which bore the glorious title of Mary's Dowry?

In this, the sister island, Tudor tyranny brought ages of blood; ages of blood which lasted to the dawn of the last century. And through all, Ireland, the land of the Gael, so fervent and so fickle in many things, remained faithful. 'Ireland alone of the northern nations remained faithful' wrote the historian. 'O'er all the world no land so true as our own dear Catholic isle' sang the poet. 'She is the most faithful nation' said the Pope (Benedict XV). And the wonder of it all. Ireland lost everything she could lose, her lands, her language, her laws, her trade, her commerce, her children. She was torn with wars, internal and

external. Her leaders proved useless or faithless. Her children found it difficult to agree on nearly every question, every problem, every enterprise. And yet, by God's grace, they agreed on one thing, and to that they clung tenaciously, in good report or evil report, in wealth, in poverty—the faith, the hard, glorious faith of Christ and His apostle, St. Patrick.

Most priests are acquainted with Canon O'Rourke's *The Battle for the Faith in Ireland* (Dublin, Duffy), and with its kindred volume by Father Burke. Both books tell harrowing history, sad and glorious. The chapter which I pen gives an outline of a form of persecution and proselytism and fraud, which spread through Ireland a hundred years ago, and whose workings still are active. For, what is going on in the devastated plains of France, in the hunger regions of Austria, and even in the Eternal City, began in Ireland. And but for God's abounding grace, Ireland of a hundred years ago had lost her greatest glory, her only glory—her faith. The persecution in Ireland was a true, genuine, well-organized persecution, combined with proselytism and active literary propaganda. It was known by the name of 'Souperism.' It was the latest effort made to steal Ireland's faith. It was a long and bitter struggle against great and powerful odds. It was of such ferocity, of such venom, of such magnitude, of such cunning and craftiness, that even great priests feared for poor Ireland. Everything was against her in the long battle. God, and God alone, saved the suffering land, and kept her true to the cross of Christ, firm for the rock of Peter.

In these essays I shall try to give in outline the beginnings, the progress, the failures, the success, seeming and real, and the overthrow of the aggressor in the war against Ireland's creed. I shall try to be fair and to be accurate. All historians say the same. Platina, Ranke, Mosheim, Döllinger, Froude, Charles Kingsley, Wells. Some historians sneer at and refute others. Freeman held that when one read the narrative of an event in Froude's histories the reader could conclude that that was one way

in which it did not happen ! And angry historians caused some profane versifier to write :—

Whilst Froude instructs the Scottish youth
That parsons have no love of truth,
The Reverend Canon Kingsley cries
'All history is a pack of lies.'
What calls for judgments so malign ?
A little thought will solve the mystery :
For, Froude thinks Kingsley a divine
And Kingsley goes to Froude for history !

Hence I quote freely, quotation and references being aids to accuracy, veracity, and belief in the statements.

Priests who read the statement at the beginning of this paper think that things are exaggerated about proselytism in France, think of the weak (?) French, of the hellish wolves who roam there in sheep's clothing. They forget the sufferings, the hunger, the want, the lure. They forget that the Master, weak and hungry, was tempted and re-tempted by the fiend, and that He conquered and triumphed where weak mortal should have fallen. Others may ask : 'Is it wise to parade Ireland's weakness in days long gone ? It is all right to have *savants* writing about *lapsi* in thousands in the early Church ; but about this Souperism, have we anything to take comfort in, any lesson to learn ?' Is this story of Ireland's fight too sad and too bitter to see the light ? Must we ever harp on being first flower of the earth and first gem of the sea ? Has not gold to be tried in the furnace ? . . . Then who hangs his head for shame ?

Ireland to-day is so different from Ireland of a hundred years ago that it is important that we should make a composition of place and of person. Our towns and villages then were in the main rows of thatched hovels. Illustrations of Irish towns and villages of those days are seen in Thackeray's *Irish Sketch Book*. The peasantry were housed in mud-wall cabins, with badly thatched roofs. In the Catholic parts of this island it was prudent to keep a porous, tumble-down shanty. Good houses, neatness, good tillage, frugality, brought huge increases of rent and tithe,

and worse than all, they brought eviction. There was no fixity of tenure of land or houses, and the vermin of the rent office or the tithe proctors had always waiting lists of 'pets,' to plant in neat farms and impervious cabins. Tourists galore wept and laughed and wrote in pity, and sometimes in scorn, about those cabins with their crowd of pigs and children—both things baneful to the tourist eye. Kind Sir Walter Scott, in his Irish tour,¹ weeps over the poverty and the semi-nude condition of the poor Irish, his fellow Celts. Thackeray tries to mourn, but his tears are cold hailstones. Men worked for a penny a day and food. Sixpence a day was princely hire. They fed on potatoes and water three times a day; and men now alive tell how they rejoiced when Sunday's dinner was of porridge. Mr. T. P. O'Connor narrates that in his early days in Athlone visitors in the poor, shabby inn had meat three times daily; the famished poor stood enjoying the aroma, and an old man said, 'They have their heaven on this earth!' Perhaps nowhere is there given such a true picture of Irish peasant life a hundred years ago as that given by Carleton (1794-1869) in his *Traits and Stories of the Irish Peasantry*. He was the son of a small, hard-working farmer, who forced the churlish soil of a few Irish acres for churlish bread.

At that time few roads existed. Travel was difficult everywhere, but in some places well nigh impossible. 'In the whole of that district (over near Shanagolden), including, as before mentioned, above 800 square miles, there was not, in the year 1821, a single road practicable for a wheel vehicle nor a resident gentleman, nor a resident [Protestant] clergyman.'² Cabins were very wretched and schools were few and wretched and too small. Hence parents were constrained to keep their offspring near their cabin doors, to the amusement of the tourists.

Nay, I do maintain that he who is intimately acquainted with the character of our countrymen must acknowledge that their zeal for book-

¹ Dublin, O'Donoghue, 1905.

² Evidence of J. Leslie-Foster, M.P., before Lords Committee, 1825.

learning not only is strong and ardent when opportunities of scholastic education occur, but that it increases in proportion as these opportunities are rare and unattainable. The very name and nature of Hedge schools are proof of this; for what stronger point could be made out in illustration of my position than the fact that, despite of obstacles, the very idea of which would crush ordinary enterprise—when not even a shed could be obtained to assemble the children of an Irish village in, the worthy pedagogue selects the first green spot on the sunny side of a quick-set hedge, which he conceived adapted for his purpose, and there, under the scorching rays of a summer sun, and *in spite of spies and statutes*, carried on the work of instruction. From this circumstance, the name of Hedge school originated; and, however it may be associated with the ludicrous, I maintain that it is highly creditable to the character of the people, and an encouragement to those who wish to see them receive pure and correct educational knowledge. . . . A hedge school, however, in its original sense, was but a temporary establishment, being only adopted until such a schoolhouse could be erected as it was in those days deemed sufficient to hold such a number of children as were expected at all hazards to attend it. . . . The manner of building hedge schoolhouses, being rather curious, I will describe it. The usual spot selected for the erection is a ditch on the roadside, in some situation where there will be as little damp as possible. From such a spot an excavation is made equal to the size of the building, so that, when this is scooped out, the back sidewall and the two gables are already formed, the bank being dug perpendicularly. The front side wall with a window in each side of the door, is then built of clay or green sods, laid along in rows; the gables are also topped with sods, and perhaps a row or two laid upon the back sidewall, if it should be considered too low. Having got the erection of the schoolhouse thus far, they procured a scraw spade and repaired, with a couple dozen carts, to the nearest bog, from which they cut the light heathy surface in strips the length of the roof. The scraw spade is an instrument resembling the letter T, with an iron plate at the lower end, considerably bent and well adapted to the purpose for which it is intended. Whilst one party cuts scraws, another the couples and box [rafters], and a third cuts as many green branches as were sufficient to wattle it. The couples being bound were raised, the ribs laid on, then the wattles, and afterwards the scraws. Whilst these successive processes went forward many others had been engaged all the morning cutting rushes; and the scraws were no sooner laid on than half-a-dozen thatchers mounted the roof, and long before evening fell a schoolhouse capable of holding nearly two hundred children was finished.

Such were the schoolhouses through poor, sad Ireland a hundred years ago, when it ceased to be a felony to learn. The Commission of 1824-1826 made an exhaustive inquiry into the number of those schools. The number was then 11,823, and the number of pupils 560,549. As the estimated

population of Ireland in June, 1824, was 7,078,140, 'the school attendance was 8 per cent. of the total population—a figure far more creditable than that of any leading European country.'¹ The teachers were appointed often by public concursus held in the chapel-yard after Sunday Mass, under the moderatorship of the parish priest and curate, with listening, wondering, admiring, and approving crowds rejoicing at the learned lore, the hard nuts fired by the rival candidates for cracking. The poor teachers were often wanderers, often a bit cracked, often too fond of liquid stimulant. But the fact of being a bit crazy and of a proneness to thirst was deemed an excellence; and Carleton quotes a parent as saying that the master always teaches better when not arid! From those poor hovels and from those poor men's tuition went forth brilliant men. Those poor masters saved Ireland from illiteracy, and their humble work should never, never be forgotten in our land. They taught in a spasmodic and imperfect way Catechism; and helped in the battle for the faith by teaching people a little, by teaching many to read books of piety, by teaching discipline, and by drawing together the children and the lads and lasses that they might realize that they were something more than the brute creation. Those poor men instilled a love of country, a love for the old faith; and the stories of the persecution, great and small, were kept alive by the hedge schools; and hedge-school boys and girls, if they were not taught much Christian doctrine or practice, learned from their hedge schools and their hearths to dread England's faith.

Such, then, were Ireland's teachers and schools a hundred years ago. Contrast our present schools and schoolmasters: the former, poor, unskilled, untrained, without the guidance of a Board, the aids of inspectors and managers; the latter well housed, well trained, well paid, respected, guarded by Union, self-respecting men.

What were priests like a hundred years ago? The Irish

¹ Corcoran, *State Policy in Irish Education*, p. 39.

race has deteriorated in height and in physique. The priests were men of giant strength, reared in hardship on poor, rough food, and were by nature well fitted for the hard slavery. There were few diocesan colleges, and hence three or four years of classics crowned a poor primary education. Classics meant being able to read and translate Cicero and Sallust, Horace and Livy, Homer and Demosthenes. Every lad read a great quantity, learned authors by rote, could quote and quote and quote. But to parse, to understand the beauties of thought and of form, to know the author's lives or to judge the niceties of Latin prose or poetry were things unthought of. To write classical Latin was a feat for few, and caviare to the general. History, literature, science, mathematics were almost untouched in the preparatory studies of the cleric. And in the professional colleges, English, French, German were uncared for in the scramble for philosophy and theology. Candidates for Maynooth were trained by hedge schoolmasters, by suspended or invalid priests, and in Ulster by Presbyterian ministers. They lacked culture; and they lacked restraint. The early days of Maynooth were troubled by unsuccessful efforts to train and teach or to discipline grown-up men of fixed habits, poor ability, and little learning. Hence, over and over again, the home product compared unfavourably with the foreign trained priest. For those men trained abroad imbibed something of the French culture, of the French priestly ideals, and, alas! the French hatred of the lower orders, and the French love of landowners, squires, officials. They were diners at the boards of Irish landlords and squireens, hostile to the claims of the peasantry, blind to the faults of the foes of their country and their creed, wide awake to the faults of their flock, shocked by the rude rusticity of their poor, loving the social side of life, and, in a way, the types of cleric whom Lever paints in *Harry Lorrequer*, *Charles O'Malley*, and Carleton in *The Station*.

Young Maynooth sent forth a raw product unmatured by a long college course, with little restraint, little culture,

but with two things needed in Ireland—sympathy for his poor flock and a lively faith. He was full of courage and knew his friends and foes. He knew and respected the wants and ways and the failings of his people. O'Connell was leading Ireland from her bondage. The Maynooth man was bringing his people into line to follow the leader in the march for Emancipation. He was no companion with the bigot landlord or the blackguard squire. Their views and vices were anathema to him. Their bribes, patent and latent, their invitations, were understood and spurned. They hated and mocked him, his faith, his flock. But they did not despise him, they feared him. He knew them, and they him. In them he saw the foes of his religion; he knew their rapacity, their cruel bare-faced robbery of the poor, their hatred of the poor, their extermination tactics of all holders of the old faith. They were great and glorious men, and priestly soldiers worthy of the ages of the Crusades.

In the hurried courses—brief and truncated often—the priests of a hundred years ago imbibed taints of Gallicanism and Jansenism. The ill-mannered jibes at Papal power in the Veto controversy, made by lay and cleric, show that the Gallicanism of the Seine had sent a strong odour to the Liffey and the Lee. But the sad, sad French product that struggled for life in Ireland, and all over Ireland, was Jansenism, with its fearful and repellant rigorism. In France it drove millions to infidelity and despair. In Ireland it made wretched the hearts and homes of the land. The Sacraments are for men says the axiom. France reserved them for angels. The sons of Maynooth were stern moralists, and confession became a torture to their flocks. Annual Communion was amply sufficient for all and every soul. Religion lost its attraction everywhere in our land. Men revered it, feared it, dreaded it, and sometimes its ministers. ‘The great defect of rigorous theology is its unfitness for the work of a missionary priest. It is rather speculative than practical. It has no accommodativeness. It sets up a high standard of Christian

demeanour and declares that if our conduct is what it is bound to be, it must measure *so* high. . . . Rigorism has little pity, has no patience, makes no allowance for human nature or its varying phases of infirmity. It is always seeking to guide men uphill with whip uplifted and with tightened rein. Like the Pharisees of old, it has great zeal for the law.'¹ The favourite text-book in Maynooth a hundred years ago was Antoine (1679-1743). Lehmkuhl says of him: 'in moralibus ex judicio St. Alphonsi valde rigidus.'² Poor Irish priests, poor Irish people. But God, in spite of all, would save Ireland in her struggle for the faith, a struggle just at hand and mighty.

All those poor priests had to say two Sunday Masses. They had never been instructed in the art of preaching or of catechetics, and probably had little teaching as to their duty and the importance of the spoken word. Contemporary authors tell us that they were fine 'scowlders'! In most dioceses the churches were too few and in all too small. In the vast diocese of Tuam there were only 130 churches—ten slated, and the others thatched mud-walls. And in Ulster,

during the existence of the penal laws the notion of building such a thing as a chapel [note the word] for Catholic worship, would have consigned those who could dream of it, much less attempt such a project, either to transportation or death. Within my own memory, there was nothing in existence for the Catholics for the worship of God except the mere altar, covered with a little open roof to protect the priest from rain, which it was incapable of doing. The altar was about two feet in depth and the open shed which covered it not more than three, so that when the rain or snow blew from a particular direction, the officiating clergyman had nothing to cover or protect him from the elements. In my early life three 'altars' were the only substitutes for chapels in my native parish, which is one of the largest in the diocese of Clogher. There was always a little plot of green sward allowed to be annexed to the altar on which the congregation should kneel; and as these plots and little altars were always on the roadside they presented something very strange and enigmatical to such as did not understand their meaning, for the following reasons. During the winter months and wet weather in general,

¹ 'Theology Past and Present in Maynooth,' by Dr. Neville, *Dublin Review*, October, 1879.

² Vide *Dublin Review*, January, 1880.

those of both sexes who attended worship were obliged to bring with them small trusses of hay or straw on which to kneel, as neither man nor woman could kneel on the wet sward, through which the moist yellow clay was oozing, without soiling or disfiguring their dress or catching cold from the damp. Indeed, I must say that during the winter months the worship of God was, in one sense, a very trying ceremony.¹

Hence we see the state of the Irish peasant, starving, ragged, miserably poor, housed in hovels, the sport of bailiffs, agents, tithe proctors. We see the Irish priest of a hundred years ago. Where we Irish priests work now hundreds died prematurely from want, disease, heart-broken. In our parishes of long ago there were no neat schools, no churches, no methods of modern travel, trains, motors, cycles; often no roads for vehicles. Some priests had horses; very many had none. A priest in Kildare pleaded that he had no horse to attend a sick-call to a dying man. Dr. Doyle, the Bishop, gave him a stern rebuke. In 1879 a Vicar-General of Killaloe died. Such was his poverty in his first mission in Clare, that on week-days he was forced to walk barefoot.

‘The average income of Bishops was £300, though in the diocese of Kilfenora and Kilmacduagh it fell so low as £100. The average income of parish priests was £65, and of curates £10, with free board and lodgings.’² ‘I conceive the peasantry of Ireland to be in general in almost the lowest possible state of existence: their cabins are in the most miserable condition, and their food is potatoes and water, very often without anything else—frequently without even salt; and I have *frequently* had occasion to meet people that begged of me *on their knees*, for the love of God, to give them *some promise* of employment, that from the credit of that they might get the means of supporting themselves for a few months until I could employ them.’³ ‘The chapels are extremely wretched in my district and do not afford accommodation for half the Catholic population.’⁴ ‘What is the condition of the

¹ *Autobiography of William Carleton* (1794-1869), vol. i. p. 36.

² *Memoirs of Castlereagh*, vol. iv. pp. 97-173.

³ Sworn testimony of Alexander Nimmo, a Scotchman, Lords Committee, 1825.

⁴ Thomas Browne’s evidence, *ibid.*

Catholic clergy in the Co. Cork?—They are generally poor. Much poorer than the Protestant?—Oh, yes, very considerably. Are there any who live in any degree of comfort?—Not what I should consider comfort.’¹ ‘In point of fact, the [Protestant] benefices in the diocese of Cloyne are very rich?—They are uncommonly rich; twelve hundred pounds are a general rate.’²

Poor Ireland, poor people, poor priests everywhere, but think of the fate and fortunes of priests in Derry, Antrim, Tyrone.

E. J. QUIGLEY.

[*To be continued.*]

¹ Wm. H. Newenham, Lords Committee, 1825.

² M’Carthy, *ibid.*

THE FUNCTIONS OF CIVIL AUTHORITY ACCORDING TO ST. THOMAS¹

LEGAL JUSTICE

BY REV. M. GIBBONS

II

JUSTICE is every virtue, says Aristotle,² and St. Thomas explains that since the acts of all the virtues are ordered towards the common good by justice, it is necessarily a general virtue, embracing all the others.³ Justice regulates the relations of one man to another,⁴ and these relations may have a twofold aspect: (a) relations of one to another, considered as individuals; (b) relations of one to another, as members of the community. In both these cases relations of justice exist, each in its own manner. The members of a civil community are related to one another as the parts to the whole,⁵ and hence it follows that the good of the parts can be referred to the good of the whole; and the good which is the object of any individual virtue, whether it regulates the life of an individual, as an individual, or whether it presides over the relations between one individual and others, can be referred to the common good, which is regulated by justice. In this way the acts of all the virtues can be referred to justice, in so far as it orders the relations of men to the common good. Thus justice is a *general virtue*, and because it is the function of law to establish ordinances, in view of the common good,⁶ it follows that this justice,

¹ The general principles underlying this question have been explained in the I. E. RECORD (August number).

² *Ethics*, v. 1.

³ 2-2, q. 58, a. 5. St. Antoninus, *Summa Theol.*, vol. iv. tit. 4, a. 4.

⁴ 2-2, q. 58, a. 2.

⁵ *Ibid.*

⁶ 1-2, q. 90, a. 2.

general in the sense explained, is called legal justice, because by it man accommodates himself to laws which order the acts of all the virtues to the common good. Hence every moral virtue related to the common good is called legal justice.¹

Though legal justice is a general virtue, it is in its essence a *special virtue*, distinct from all other virtues ; and is general in virtue of its power or causality ; just as an universal cause is general in regard to all its effects, and thus differs essentially from those things in regard to which it is a general cause, because the essence of cause and effect is not the same. In this way legal justice is a general virtue, in so far as it orders the acts of all the virtues to the common good of society. But, since the species of virtues are distinguished by their formal objects,² and since legal justice has its own formal object—the common good—it follows that it is a special virtue.³ Therefore, Aristotle⁴ states that the virtue of a good *man* and that of a good *citizen* are two very different things, because, though every virtue has within itself the efficacy to attain its own particular end, still, it cannot attain an ulterior end without the influence of a higher virtue, to order it beyond its immediate specific end, and thus a superior virtue is required to harness all particular virtues to the chariot of the common good ; and this is the function of legal justice, which is therefore a special civic virtue.⁵

Legal justice may be defined as the virtue through which the acts of all the other virtues, as a duty to the State, are ordained to the common good. It regulates, primarily, the obligations of the ruling authority towards the common good of the society it governs, and in a secondary manner the duties of the subjects towards the same end. It is reduced to act, by the indispensable

¹ 2-2, q. 47, a. 10 ad 1 ; 2-2, q. 79, a. 2 ad 1 ; q. 58, a. 5 ad 3 ; Soto, *De Just. et Jure*, l. i. q. 1, a. 2.

² 1-2, q. 54, a. 2 ; q. 60, a. 1 ; q. 62, a. 2, q. 90, a. 3.

³ 2-2, q. 58, a. 6.

⁴ *Politics*, e. iii. c. 3 ; *Ethics*, v. c. 1.

⁵ 2-2, q. 58, a. 4.

co-operation of the virtue of *prudence*, in its highest degree, for the end in view is the common good of society, which is the highest participation by creatures in the divine good.¹ Political prudence is the right reason of conduct, in view of the common good of society,² and a right reason of conduct consists in applying to action, things that have been counselled and judged,³ and, since it belongs to prudence to advise, judge, and give commands, in regard to the means of attaining a definite end, it is clear that prudence is not confined merely to the private good of the individual, but extends its sphere, also, to the common good of the multitude.⁴ In fact, by advancing the good of society, individuals advance their own private good,

because the private good cannot exist without the common good of the family, city, and kingdom, and secondly, because, since man is a part of society, the criterion of this private good must be what is prudent in regard to the good of the multitude. This does not mean that the good of society and the good of the individuals are identical: the common good being higher and more perfect. Prudence has its seat in reason, and since to govern is the function of reason, it follows that each individual in the community participates to a certain extent in government, in so far as he possesses reason and prudence. It does not follow, however, that the subjects, as subjects, have *actually* the function of ruling; their function is to obey. But it does follow that individuals in society have very definite responsibilities towards the common good, which latter cannot be promoted without their co-operation.

It is manifest, says St. Thomas, that prudence is in the ruler after the manner of mastercraft; but in the subjects after the manner of handicraft.⁵ The ruler is the architect, the subjects are the builders; in other words, the ruler is to direct, the subjects are to execute.⁶ St. Thomas uses the same expression in regard to justice,⁷ which shows how closely he connected prudence and justice in the ruling of society.

¹ *De Reg. Princip.*, l. i. c. 9; 2-2, q. 47, a. 2.

² 2-2, q. 47, a. 11 ad 1.

³ 2-2, q. 47, a. 8.

⁴ 2-2, q. 47, a. 2; q. 47, a. 10; Arist., *Ethic.*, vi. c. 7.

⁵ 2-2, q. 47, a. 12; Banez, *De Justitia*, q. 58, a. 7; Arist., *Ethic.*, vi. 8.

⁶ 2-2, a. 50, a. 1 ad 1.

⁷ 2-2, q. 60, a. 1 ad 4.

Prudence, then, takes first place amongst the political virtues of both rulers and subjects; as it takes pre-eminence among the moral virtues. A moral virtue derives its excellence from reason as its fundamental source; but prudence perfects reason itself, while the other virtues perfect the lower appetities, and hence its superiority.¹ From the nature of civil society, it follows (since the more extensive a government is the more perfect it is) that the ruling authority, destined to guide not only itself but the whole community, must have prudence of a very special kind, and this is called *regnative prudence*.² 'To rule others,' says St. Antoninus,³ 'and direct them to their due end, is done by prudence, and therefore the greatest care must be taken that those who are appointed to rule should possess this virtue'—and this embraces four conditions: (1) the ruler must please God, Who is the king of kings, and this makes for loyalty in the subjects, since they will imitate his example; (2) he must satisfy the people he rules, by acting so as to inspire respect and without undue severity; (3) he must provide for the temporal needs of the State; (4) he must make good laws.⁴

The prudence of the subjects, though having the same formal objects as that of the ruler, must differ from regnative prudence, since it has its own peculiar functions. The subjects have a most sacred duty to obey, and they need a special kind of prudence to direct them in the task, and this is called *political prudence*. 'For since man is a social animal, he needs political prudence to be a proper subject of law, by which he can know how to associate with his fellow-men and obey rulers. Subjects are moved by their rulers in such a way that they move themselves by their free-will, and therefore to move in the line of the common good they need a special prudence; unlike irrational creatures, which are moved without any

¹ 1-2, q. 66, a. 1; Soto, op. cit., l. 3, q. 2, a. 8; Medina in 1-2, q. 96, a. 3.

² 1, q. 22, a. 1; 2-2, q. 50, a. 1.

³ Op. cit., vol. iv. tit. 2, c. 6.

⁴ St. Antoninus, op. cit., vol. iv. tit. 2, c. 6.

free action of their own.’¹ *Obedience*,² then, is an essential part of legal justice, and is as important, and as necessary, for the existence and well-being of society as the virtues of the rulers. And this is not merely a scholastic formula, it is a most fundamental principle of Catholic teaching, based on the express words of Sacred Scripture itself: ‘Admonish them to be subject to princes and powers to obey at a word, to be ready at every good work. Be ye subject to every human creature for God’s sake, whether it be to the king as excelling, or to governors as sent by him, for the punishment of evil-doers, and for the praise of the good; for such is the will of God that by doing well you may put to silence the ignorance of foolish men.’³ ‘Let every soul be subject to higher powers for there is no power but from God.’⁴ These texts prove clearly enough to any Christian, that obedience to *lawful*⁵ authority is not merely a matter of expediency, but is a most sacred and conscientious obligation.

The general virtue of obedience regards all superiors and extends to all precepts, but *the obedience enjoined by legal justice is of a higher kind*.⁶ It regards obedience (a) to civil rulers, (b) to acts prescribed by law, (c) in view of the common good. St. Thomas gives the reason: ‘Since every man is part of the State, it is impossible that a man be good unless he be well-proportioned to the common good, nor can the whole be well consistent unless its parts be well-proportioned to it. Consequently, the common good of the State cannot flourish unless the citizens be virtuous, at least those whose business it is to govern. But it is enough for the good of the community that the other citizens be so far virtuous that they obey the

¹ 2-2, q. 104, a. 1-6; Quodlibeta vi. q. 6, a. 10; cf. Donoso Cortes, vol. iii. l. i. p. 34.

² Ad Titum iii. 1.

³ Peter ii. 13-15.

⁴ Rom. xiii. 1.

⁵ Resistance to *unlawful* authority does not enter into this discussion, as unlawful authority is not authority.

⁶ Cf. Dr. Murray, *The Irish Annual Miscellany*, vol. iv. D. 385 ff.

commands of their rulers.’¹ Obedience in itself is a comparatively imperfect virtue in regard to society, as children or barbarians could blindly obey. But the obedience enjoined by legal justice is on a higher level; it is the obedience not of *subjects* but of *citizens*, who obey, not so much because a thing is *commanded*, but because it is *good*. Their obedience is not that of mere automata but of intelligent beings, who co-operate *actively* with their rulers in the promotion of the common good. And thus the obligation of obedience to lawful rulers is all the more sacred.² Without the whole-hearted obedience of the citizens, no State can exist, or deserve to exist. When anarchy dethrones justice, when sedition defiles the sanctuary of obedience, swift and inevitable ruin is the only possible result. ‘In making authority divine,’ says Donoso Cortes,³ ‘Catholicity has sanctified obedience; and authority made divine and obedience sanctified are the condemnation of pride in its most formidable manifestations—the spirit of tyranny and the spirit of revolt. In a society really Catholic both tyranny and revolutions are impossible.’

If St. Thomas is remarkably clear on the morality of resistance to *unlawful* authority in certain sets of circumstances,⁴ he leaves no room for equivocation, in regard to the *immorality* of disobedience, and sedition, when lawful authority is concerned.⁵ Sedition does not necessarily mean only *actual*, armed hostility to the civil authority; it includes also *preparation for such hostility*⁶ (*Seditiones sunt tumultus ad Pugnam*). Secondly, it is not war between the members of a State and enemies from outside; ‘it is hostility between the parts of the same civil society who differ among themselves,’ and therefore St. Thomas concludes, ‘since

¹ 1-2, q. 92, a. 1 ad 3; q. 93, a. 3; q. 96, a. 2.

² Cf. 1-2, q. 96, a. 6.

³ *Œuvres*, vol. iii. p. 34.

⁴ *De Reg. Princip.*, l. i. c. 6, c. x. c. xi.; 2d 44, q. 2, a. 2; q. 1, a. 2; Comment. in Rom. xiii. 1-7, e. 1; Quodlibeta xii. a. 24 ad 1, etc.

⁵ 2-2, q. 42, a. 1 and 2; 2-2, q. 105, a. 1 and 2.

⁶ *Ibid.* a. 1.

sedition is opposed to a special good, viz., the unity and peace of the multitude, it is a special sin.' And furthermore since sedition is *unjust* hostility, directly contrary to the common good of the republic, it is always generically a mortal sin.¹ The leaders are primarily and principally guilty of a most grave sin (*gravissime peccant*), and secondly, those who co-operate in the upheaval injurious to the common good. He is careful to add, that those who defend the common good, in resisting the above, cannot be called seditious, no more than those who defend themselves can be called quarrelsome²; and the rigour of the above condemnation can be all the more fully grasped when we remember that the Angelic Doctor is far more reluctant than modern theologians to label moral delinquencies as mortal sins.

The modern tendency has been to concentrate almost entirely on the duties of rulers to the neglect of the duties of the governed. The two go hand in hand. Defects on either side are sins against legal justice, having the one lamentable result: chaos and destruction of society itself. Obedience attended by the ministering virtues of *fidelity* to lawfully constituted authority, *reverence*³ for those placed over us by God to direct our common destinies, and friendship⁴ for our fellow-citizens, are so obviously fundamental, so obviously indispensable, for the very existence of human society, that further comment is unnecessary. Political prudence, therefore, with obedience as its principal act, is an essential integral part of legal justice.⁵ Legal justice has for its goal the common good, and prudence is the necessary means to the same end. Both together constitute the virtues of a *good citizen*, which is the essential quality of a *good man*⁶ (*ad bonum virum pertinet posse bene principari et bene subjici*).

¹ 2-2, q. 42, a. 2; cf. St. Augustine, *De Civit. Dei*, lib. ii. c. 21 and lib. xix. c. 21.

² Ibid.

³ 2-2, q. 102, a. 1-4; q. 102, a. 1-3; q. 118, a. 8.

⁴ 2-2, q. 114, a. 1 and 2.

⁵ Cf. St. Antoninus, op. cit., vol. iii. tit. 3, c. 2; 2-2, q. 47, a. 10 ad 1.

⁶ 2-2, q. 47, a. 11 ad 2; Arist., *Politics*, l. iii. c. 3.

Legal justice, with political prudence, is not only an important virtue, it is the most excellent of all the moral virtues.¹ For among the moral virtues, that is the most excellent which has (a) the most universal matter, (b) the most elevated formal object, (c) the most difficult act or function. Legal justice, since it directs the acts of all the virtues, since its formal object or end is the common good, the highest good of all²; and since its function is the most difficult, operating as it does above the individual interests of the members of society, fulfils all these conditions, and therefore holds pride of place in the category of moral virtues. Legal justice and prudence are, *par excellence*, the perfect political virtues for the following reasons:—

(1) They belong to the citizen, as a citizen, living in a perfect community.

(2) They are the virtues of citizens who direct themselves by their own intrinsic power.

(3) They are the virtues of the 'free people' whose rulers are *vices gerens multitudinis*.

(4) They are the virtues of citizens which enable them, not only to be good *subjects*, but also to be good *rulers*. If the citizens have no respect for these fundamental civic virtues; if their idea of 'liberty'³ is the licence which begets anarchy; if, in short, their moral consciousness is so sordid that they sacrifice the common good of their country on the altar of their own paltry avarice and ambition, they barter their birthright of citizenship and assume the rôle of criminals, a danger to the society in which they live.

Legal justice ensures for the community, and for the individuals as parts of the community, what is called their legal debt or duty (*debitum legale*).⁴ This legal debt is that which must be accorded to society and its members, under

¹ 2-2, q. 58, a. 12; 2-2, q. 52, a. 1 ad 1.

² *De Reg. Princip.*, l. i. c. 9; 2-2, q. 47, a. 2.

³ Denzinger, *Enchiridion*, prop. 1876; *Libertas, Praestantissimum*, Leo XIII.

⁴ 1-2, q. 95, a. 5; 2-2, q. 31, a. 3 ad 3; q. 80, a. 1; q. 102, a. 2 ad 2; Arist., *Ethic.*, viii. 13.

the compulsion of law and under an obligation of justice, as distinct from a moral debt, which does not bind legally but simply as a virtue, such as liberality, etc. This legal debt comes directly within the scope of legal justice, and though of itself it binds rigorously, nevertheless, since it happens that there are laws in circumstances where laws should not exist, the principle of *Epicheia*¹ must always be taken into account :—

Even as unjust laws by their very nature are either always, or for the most part, contrary to the natural law, so too, laws that are rightly established, fail in some cases, where if they were observed they would be contrary to the natural law. Therefore, in such cases judgment should be delivered, not according to the letter of the law, but according to equity, which the lawgiver has in view. Equity consists in this, that the intention of the legislator, not the literal wording of the law, is to be taken into account. For, since human acts, the objects of laws, consist in single instances which vary infinitely, it is impossible to lay down a general rule of law which would not fail in some cases. Legislators consider only what happens in the majority of instances ; and thus in a particular case the observance of a law may be against justice and the common good which the law intended.

In these instances it is wrong to follow the written law, but it is right to discard the words of the law, and follow what justice and common utility demand ;² and he adds³ : ‘To follow the words of the law in a matter where one should not do so is a crime.’ Hence a *dispensation* is not a ‘*vulnus legis*,’ as many hold ; it is the application of the law to a particular case. The law was never intended by the legislator to cover such a case, and hence its non-application to such a case cannot be a *vulnus legis* ; it is the very opposite.⁴

The formal object or motive of legal justice is the common good, which is the ultimate criterion of the morality of all government. If, therefore, says St. Thomas, ‘the multitude of free men is directed by the ruler to the common good of the multitude, his rule will be right and just,

¹ 2-2, q. 60, a. 5 ad 2 ; 2-2, q. 120, a. 1 and a. 2 ; Arist., *Ethic.*, v. 10.

² 2-2, q. 120, a. 1.

³ 2-2, q. 120, a. 1 ad 1.

⁴ 2-2, q. 88, a. 10 ; 1-2, q. 97, a. 4 ; q. 96, a. 6 ; q. 100, a. 8 ; q. 90, a. 2.

and one that becomes free men'¹ And on the contrary, 'Through this does government become unjust, that, despising the common good of the multitude, the private good of the ruler is aimed at.' The farther a government recedes from the common good the more unjust it is.² The common good is not the resultant of the total of all the individual goods in the community quantitatively considered.³ The common good of the community and the particular good of the individual differ not only in respect of the many and the few, but also under a formal aspect, just as the aspect of the whole differs from that of the parts. It is the universal, real, fundamental good, specifically and entitatively distinct from particular goods. It is the good of human nature in its universal aspect; the good of the end of human nature; and since human nature is universal, i.e., having an infinite capacity for good, and since the absolute good is the ultimate end, it follows *that the common good is the end of human nature*. Human nature is, however, complex, composed of body and soul, and therefore the common good includes a variety of goods, physical and moral, pertaining both to body and soul, organic, intellectual, moral, and religious life. It includes all the physical and moral goods for which human nature is destined, in due subordination to the ultimate end of all—the Beatific Vision. Since, however, whatever pertains to nature is of essential necessity, it follows that individuals, in so far as they possess human nature, can and must participate in the common good, which can be only fully realized in perfect society—the State.

This common good,⁴ which both rulers and subjects must promote, can be described as the physical and moral happiness of society, considered under its most universal aspect,

¹ *De Reg. Princip.*, l. i. c. 1.

² *Ibid.* l. i. c. 3.

³ 2-2, q. 58, a. 7 ad 2; cf. *Metaph.* v. l. 21; i. q. 65, a. 2; q. 70, a. 2; q. 91, a. 3; 3, d. 2, q. 2, a. 1; q. q^a. 3.

⁴ 1-2, q. 90, a. 2 and 3; q. 91, a. 4; q. 96, a. 1; q. 96, a. 6; q. 97, a. 1 ad 3 and 4; q. 100, a. 8; 2-2, q. 47, a. 10, a. 1 ad 2; q. 58, a. 5; q. 26, a. 3; q. 26, a. 4 ad 3; q. 31, a. 3 and 2; *De Reg. Princip.*, l. i. c. 1, 3, 14.

It is formally and really distinct from the particular good of the members of society, considered either individually or collectively, as the whole differs from its parts, or the end differs from the means to the end. It includes what St. Thomas calls the '*totum bene vivere secundum virtutem*'—friendship, peace, and unity—and entails several benefits of themselves sufficient to realize all the perfection of which human nature is capable. It finds its ultimate realization, both for society and individuals, in the Beatific Vision, which is the ultimate end of man. It is clear, at a glance, that the task of legal justice is a formidable one, and the lofty ideal can be realized only by the instrumentality of virtue. For St. Thomas, the ultimate end of society is not merely that the citizens live virtuous lives, but that they, through the practice of virtue, may attain their end—the Beatific Vision. Virtue¹ is the essential means to the ultimate end of all, and virtue cannot exist without the necessary and sufficient corporal and temporal goods.² A nation of contemplative mystics is a physical and economic impossibility. It follows, then, that temporal goods enter into the problem of attaining the common good as fundamental factors; though, obviously, they cannot be an end in themselves.³ Since the end of society, says Leo XIII,⁴ 'is to make men better, the chief good that society can possess is virtue. Nevertheless, in all well-constituted States, it is a matter of no small moment to provide those bodily and external commodities, the use of which is necessary for virtuous action.'

The use of riches and all material goods is to be ordered with a view to the complete and integral well-being of the bodily, intellectual, cultural, moral, and religious life, taking into account the personal and social position of each individual. Hence, the first condition for the common good of society is that the citizens have, not only those goods that are necessary for the maintenance of life, but also those

¹ *De Reg. Princip.*, l. i. c. 14.

² Cf. *Arist., Politic.*, e. i. c. 5 and 7.

³ *Ibid.* l. i. c. 15.

⁴ *Rerum Novarum*.

that are necessary to maintain each in his own condition or station.¹ 'For no man is bound to live in a manner derogatory to his position in society.'² To these external goods the citizens have a right, and the State has the duty of providing them,³ since they are the first essential necessity for a virtuous life. From this follows the magnificent Christian principle that, whatever the citizens possess superabundantly must, by the natural law, be given to the poor.⁴ And this obligation arises not only from the fact that the poor are in need, but also because no citizen can by natural law possess superabundant wealth beyond what is reasonably necessary and sufficient for himself, his family, dependants, etc. There are no profiteers or millionaires in the Thomistic State. The obligation is not to give one-tenth, as in the Old Testament: all that is superfluous must go to the poor. And this principle is based on the New Testament. *Quod superest date eleemosynam.*⁵ Therefore the poor have a right in justice to what is superfluous to others, and secondly, the State has the right, and the duty, to regulate possession of property, 'because many States have been ruined, through want of regulations in the matter of possessions.'⁶

Since, then, the economic end of society is that the citizens live according to virtue, in its widest sense (*secundum totum bene vivere*), and since the measure of the use of external goods is to possess them in so far as they are necessary and sufficient for the physical, rational, intellectual, moral, and religious life of individuals, making due allowance for the position the individual occupies in society, it follows (1) some goods are necessary primarily and absolutely for the existence of the individual or for the conservation of his life, both physical and moral, and to these every man has the strictest right in commutative justice.⁷

¹ 2-2, q. 118, a. 2.

² 2-2, q. 32, a. 6.

³ *De Reg. Princip.*, l. i. c. 15.

⁴ 2-2, q. 118, a. 4 ad 2; q. 67, a. 7.

⁵ Luke xi. 41; cf. 2-2, q. 87, a. 1 ad 4.

⁶ 1-2, q. 105, a. 2.

⁷ 2-2, q. 66, a. 7.

The same also applies to a person's family and dependants. (2) Goods necessary in order that the citizens live well (*bene vivere*) and virtuously. To these citizens have a strict right in legal justice, which can be enforced by law, and as in the first case this right covers those depending on citizens, family, etc., (3) goods necessary in order that citizens live in the best possible manner (*optime*), and to these they have a right in commutative justice, if their title is just; unless the extreme necessity of their neighbours or public necessity demands otherwise. No one is bound to live in the best possible manner (*optime*), only well (*bene*).¹ (4) Superfluous goods in the strict sense, i.e., those which are merely an impediment to the physical or moral welfare of the possessor, can be taken over by public authority, when the public good or the extreme need of others requires it. The mere necessities of life do not meet the full requirements for the happiness essential to the common good. There is required also what Aristotle² calls the *per se sufficientia*. Both what is necessary and what is sufficient for human existence are essential for happiness, and happiness is the essence of the common good.³ There is no question of the perfect happiness of the angels, which consists in union with the universal source of all good,⁴ but rather of the imperfect happiness of this life, which requires all that is necessary and sufficient for the proper ordering of our lives here, with a view, of course, to the life hereafter.⁵

Since, therefore, the use of riches is ordained, as an aid in the attainment of the final end of individuals and society, it is obvious that they must be duly regulated, and he who does not use them for this end, or he who uses them inordinately, sins. Hence, two guiding principles are to be observed⁶:—(1) In regard to those who are to be

¹ Quodlibeta v. q. 18.

² *Politic.* l. i. c. i.; *Ethic.*, v. c. ii.

³ 1-2, q. 3, a. 2 ad 2.

⁴ 1-2, q. 3, a. 3 ad 2.

⁵ 1-2, q. 1, a. 4, 7, 8; 2-2, q. 118, a. 7; q. 143, 2 d. 44; q. 2, a. 1 ad 3; 3 d. 33; q. 3, a. 2.

⁶ 4, d. 15, q. 2, a. 1; q. a. 4; 2-2, q. 32, a. 5.

assisted by riches, the order to be observed is : the person himself, those connected with him, such as his family, and lastly, outsiders. (2) From the point of view of necessity : those in absolute necessity come first, those in conditional necessity (relative to conserving a suitable position in life) come next. And what is superfluous must go to the poor, to relieve their absolute and relative necessity also.

The common good to be promoted by rulers and subjects is identical with the happiness of universal human nature, and hence it includes the good of the species and the good of society.¹ And the members of society can be perfected by every good of which their nature is capable. Both by reason of their bodies and souls, they are ordained to universal happiness, which is attained by a virtuous life, culminating in the Beatific Vision. Legal justice presides over this sublime destiny, and since the acts of all the virtues can be referred, either to the private good of individuals or to the common good of society,² there is no virtue whose act does not come within its scope. Every virtue which can be referred either mediately or immediately to the common good, which directs the citizens in upholding justice, peace, and unity, comes under the prescriptions of law. 'The good of the multitude united in society is the conservation of its *unity*, which is called *peace*, and without which the utility of social existence is destroyed. Therefore the first duty of the ruling authority is to procure *the unity of peace*.'³ *Friendship, peace, unity, and happiness* are the essence of the common good, to procure which is not a mere counsel to rulers and subjects ; it is a most sacred obligation, binding on both, involving stupendous consequences for the very existence of the community in which they live, and, more important still, for the salvation of their immortal souls.

M. GIBBONS.

¹ 1-2, q. 91, a. 6 ad 3 ; i. q. 98, a. 1 ad 2.

² 1-2, q. 100, a. 11 ad 3 ; 2-2, q. 66, a. 5.

³ *De Reg. Princip.*, l. i. c. 2, c. 9, 15 ; i. q. 103, a. 3 ; 2-2, q. 29, a. 1, 2 ; St. Augustine, *De Civ. Dei*, l. ix. c. 13.

THE PROBLEM OF EVIL: A REPLY

BY REV. P. V. HIGGINS, B.D.

EVERYONE will appraise the motive which induced the Rev. B. V. Miller to write the article which appeared in the I. E. RECORD, October, 1922. Even if Father Miller had achieved complete success in his objective we could not afford to forget the dictum of St. Paul that evil must not be done that good may come of it. But to my humble conception, Father Miller has thrown no new light on the existence of evil, while in striving to do so he has impugned an attribute of God, the existence of which has been acknowledged, at least since the beginning of Christianity, if not long before it. On the whole, Father Miller's article is not satisfactory. He begins by finding fault with St. Thomas's quotation from St. Augustine *re* the existence of evil. He quotes it as something to be brushed aside. Our hopes are raised very high. We are about to be wafted to the Empyrean, where this little mystery of the existence of evil is to be completely cleared up. Your correspondent's wings, however, do not seem capable of sustaining such a flight. Like those of Daedalus of old, they are, alas! only waxen. Before the end of the article is reached both he and we are sadly disillusioned, and his last words remind us of the swan's death notes: 'In face of this enigma the most acute of human intellects can only believe, trust, and adore.' It is with the means adopted by Father Miller to lead his readers to the light divine that I am compelled to join issue with him, and these means are his equating God's knowledge of futuribles with Sarah Gamp's *ens rationis*, Mrs. Harris; in other words, his denial of God's knowledge of futuribles.

The method usually employed by theologians to establish any dogmatic truth is to adduce arguments from Scripture and Tradition, the Fathers, theological reason, and the voice of the Church, if there be such bearing on the matter. So we need not be surprised that the methods of Father Miller are to disprove or belittle the proofs contained in these fountains. Let us take first the Scriptural proof from 1 Kings xxiii. 9-12. The situation is perfectly clear. David is at the little town of Ceila, of which fact Saul has got wind, and has ordered his army to pursue David. 'And David said: O Lord God of Israel, Thy servant hath heard a report, that Saul designeth to come to Ceila, to destroy the city for my sake. Will the men of Ceila deliver me into his hands, and will Saul come down as Thy servant hath heard? . . . and the Lord said: He will come down. And David said: Will the men of Ceila deliver me and my men into the hands of Saul? and the Lord said: They will deliver thee.' Now, although Father Miller cannot tolerate anthropomorphisms when employed by his opponents, he has no scruple in advocating them here in favour of his own preconceived ideas. His interpretation of the text is that it is an example of Old Testament anthropomorphism. Men, in general, are accustomed to worry about futuribles, as is David in this particular, so the Lord, Who knows men's hearts, accommodating Himself to the spirit of David's inquiry, answers *more humano*: 'Saul intends to pursue you to Ceila, and the men of Ceila intend to deliver you up.' With this method of interpretation we cannot agree. It is running a coach-and-four through the literal meaning of the sacred text. Nearly forty years ago Cardinal Newman tried to vindicate the possibility of *obiter dicta* in the sacred writings. This was opening a dangerous sluice-gate indeed. But Father Miller's position is more dangerous still. For if his interpretation of the two texts be a fair sample of how he deals with the rest of Scripture, then good-bye for ever to the literal meaning. And in this connexion I would beg to remind him that there is such a thing as a literal meaning, i.e., that the

words of Scripture are to be taken literally, except there are evident reasons for not doing so. 'Verborum S.S.,' says St. Jerome, 'intelligentia imprimis quaerenda est et constituta, non quia tropologicam intelligentiam condemnemus sed quia spiritualis interpretatio debet sequi ordinem historiae quod plerique ignorantes lymphatico in S.S. vagantur errore.'¹ St. Augustine says: 'Admonemus atque praecipimus ut quando auditis exponi Sacramentum Scripturae narrantis quae gesta sunt prius illud factum sese credatis sic gestum quomodo lectum est ne subtracto fundamento rei gestae quasi in aere quaeratis aedificare.'² Leo XIII, in his Encyclical on the study of the Scriptures, amongst other admonitions has this: 'not to depart from the literal and obvious sense except where reason makes that untenable, or necessity requires. This is a rule to which it is more necessary to adhere strictly in these times when the thirst for novelty and unrestrained license of thought make the danger of error most real and proximate.'³ In the face of this teaching, I should like to ask Father Miller what is his authority for putting aside the plain and obvious meaning of the sacred text and substituting his own, which is both novel and unheard of?

We now come to the other classic text, Matt. xi. 20-23: 'Woe to thee, Corozain, woe to thee, Bethsaida; for if in Tyre and Sidon had been wrought the miracles that have been wrought in you, they had long ago done penance in sackcloth and ashes,' etc. In order to show Father Miller how alien his interpretation of this text is from Catholic thought, perhaps I could not do better than set down, side by side, the meaning he puts on it, and the meaning put on it by three first-class authorities, representative of the Fathers, Catholic theologians, and Catholic commentators:—

[TABLE

¹ In Isaias xiii. 19.

² *De tentatione Abrahae.*

³ Authorized translation.

FATHER MILLER.	ST. AUGUSTINE.	CARD. FRANZELIN.	A LAPIDE.
Christ speaks as a man, and His words are simply a forcible, concrete, and human way of expressing the enormities of the two cities in not accepting the evidence of His divine mission.	Nunquid possumus dicere, etiam Tyrios et Sidonios talibus apud se vitutibus factis credere noluisse aut credituros non fuisse, si fierent, cum eis ipse Dominus attestatur quod acturi essent magnae humilitatis poenitentiam, si in eis facta fuissent divinarum illa signa virtutum? (<i>De dono Persev.</i> , n. 22).	Si locus per se et incontextu inspicatur, in eo edicatur a veritate infallibili, liberos poenitentiae actus Tyrionum et Sidoniorum futuros fuisse sub quibusdam conditionibus internis et externis, quae per se et ex sua indole esse poterant, quin poenitentia sequeretur (<i>De Deo Th.</i> , 45).	Christus hic certe asseverat Tyrios et Sidonios poenitentiam acturos fuisse, si Christi signa vidissent, quae tamen non viderunt, ideoque poenitentiam non egerunt (<i>in loco</i>).

Other texts by which this doctrine is clearly proved are Jeremias xxxviii. 14-20, Wisdom iv. 11 seqq., Acts xxii. 17-21.

Father Miller says that this 'man-made' doctrine of futuribles has been in existence only three hundred years. How anyone pretending to even the slightest acquaintance with the heresies that infected the early Church could have made such a statement is indeed strange. What, for example, was the position of the Gnostics, Marcionites, and other heretics of that ilk? Their cosmology demanded a demuirge distinct from God. And why? The world could not have been created by God, for if He were omniscient He could not have created it, knowing that men would sin; and if knowing they would sin He nevertheless created them, He is not a good God. Now, what was the answer given by Irenæus, Tertullian, Gregory of Nyssa, Ambrose, Jerome, Chrysostom, Augustine, Cyril of Alexandria, Theodoret, John of Damascene? The answer given by each and all of these Fathers was that God knew infallibly that man would sin, and yet that He would not interfere with the freewill with which He had endowed him. As

St. Jerome puts it tersely and to the point, 'Si nescivit cui praescientiam tollis, aufers et divinitatem.'¹ I admit, of course, that the words 'scientia media' were first introduced into theology by the illustrious Molina, but it by no means follows that because the word was new the reality underlying it was new. Mary was the Mother of God before the Council of Ephesus bestowed the title of Θεότοκος on her. Christ was divine before Nicaea voted Him ὁμοούσιος with the Father; and the Real Presence existed before the Church introduced the word Transubstantiation. 'As long as there is an historical development of dogma, it is natural that in the course of time, and under the supernatural guidance of the Holy Ghost, new ideas and new terms should gain currency. The deposit of Faith, which is unchangeable in substance but admits of development, contains those ideas from the beginning and they are brought to their full development by the tireless labours of the theological schools.'²

Up to this I hope I have shown that, as far as Sacred Scripture, the Fathers and theologians are concerned, Father Miller has no *locus standi* in the position he has taken up. Two more points demand attention—his proof from theological reason and his appeal to the authority of St. Thomas.

The proof from reason he puts thus (p. 346): 'If John were to be subjected to such and such a temptation, either he would sin or he would not sin. These are the only two conclusions possible. Therefore one must be true and the other false, and therefore God, Who knows all truth, must know infallibly which is true and which is false.' 'This hypothetical temptation, looked at from God's point of view, is, and from eternity has been, a real impossible. In other words, both conclusions, John's resistance and submission, are in reality equally true and equally untrue.'

My answer is this: In place of 'John' set down the inhabitants of Tyre and Sidon, and in place of 'temptation'

¹ Dial. iii. Contra Palag.

² *The Catholic Encyc.*, 'Molinism.'

set down Christ's teaching, and we have the answer. 'God has irrevocably decreed,' says Father Miller, 'that this temptation shall not, and therefore cannot, come to pass, and against this decree there is no appeal.' God also irrevocably decreed that the Gospel should not be preached to Tyre and Sidon, and yet we have the Catholic Church, through her Fathers, theologians, and Scriptural commentators, telling us that He knew infallibly what the result would be. Which is it to be—the Church Catholic or Father Miller?

I now come to the last point I shall consider in Father Miller's paper, viz., his argument from St. Thomas. He candidly admits that he does not claim an exhaustive knowledge of St. Thomas' writings (p. 349). And yet in the face of this admission he dogmatically asserts that neither in the *Summa* nor elsewhere is there to be found a word about futuribles. This is scarcely logical. But to the answer. Let me say first that Cardinal Franzelin, in his treatise *De Deo Uno*,¹ asks the question why did the Fathers and the earlier theologians (who certainly believed in God's knowledge of futuribles) consider the division of God's knowledge into *scientia visionis* and *simplicis intelligentiae* sufficient? And the answer he gives is, 'because it seemed to the Fathers that there never would be anyone who would grant God's prevision of future events and at the same time deny His knowledge of futuribles, as therefore the matter was so plain they did not consider any division of His foreknowledge necessary.'² Coming from such a weighty authority this answer ought to satisfy Father Miller. But let us see if we cannot do even a little better. In his treatise *de Veritate*, St. Thomas has the following paragraph, which, as I have no English translation, I set down as it came from the pen of the Angelic Doctor: 'Dicitur scientia visionis in Deo ad similitudinem

¹ Thesis, 46.

² 'Videlicet visum est Patribus nunquam futuros homines qui, concedentes visionem futurorum, non etiam sub ea comprehenderent scientiam futurorum sub conditione. Propter rei igitur evidentiam non putabant necessariam distinctionem praescientiae in duplex membrum.'

visus corporalis qui res extra se positae intuetur, unde per scientiam visionis Deus scire non dicitur nisi quae sunt extra ipsum quae sunt vel praeterita vel praesentia vel futura. *Sed scientia simplicis notitiae etiam est eorum quae nec sunt nec erunt nec fuerunt.*¹ I would recommend the study of this paragraph to Father Miller before he makes such sweeping statements as 'in St. Thomas there is not a word about futuribles'; 'St. Thomas, with his keen and all-embracing vision, does not envisage futuribles, because there are no such things, they are the Mrs. Harris of Scholastic Philosophy.'

As regards the mind of the faithful, I should like to know what answer Father Miller gives to the children of his school when they ask him, 'Is it lawful to pray for temporal goods?' I know the answer given in the ordinary catechisms, but I should like to know Father Miller's. And in the *Catechismus Romanus*, brought out under the very eyes of the Sovereign Pontiff, we find: 'Interdum fit ut quae petimus a Deo non impetremus . . . quod nec necessarium nobis est nec utile quod petimus, imo vero fortasse supervacaneum id futurum sit, si dederit, atque pestiferum. Ingenii bona et ornamenta petere etiam licet, sed ea conditione, si nobis ad Dei gloriam et ad salutem profutura sunt.'

Any rational attempt (if such there be) to solve this age-long enigma will be very welcome; but even the tyro philosopher or theologian cannot accept a solution, which, by destroying the well-known attributes of God, only makes confusion worse confounded.

P. V. HIGGINS.

¹ Q. 2, a. 9.

COMPENETRATION IN PROPHECY

BY REV. R. HULL, S.J.

THAT types are to be found in Holy Scripture is acknowledged on all hands. A type is a person or thing (in the widest acceptation of the term) which, according to the plan of God, signifies some other person or thing. A type is a foreshadowing, a preliminary sketch. Mere resemblance does not constitute the relation of type and antitype: resemblance with a divine purpose is requisite. Revelation alone, therefore, can be the source of our knowledge of this relation. And the purpose of God in this revelation of type must be very similar to that in prediction of the future. The type signifies or points to the antitype. What a prediction is in words, a type is in fact. The former is a verbal description of the future; the latter is a description in fact, a rehearsal in actual history of some person or thing which likewise is to have an objective existence. A type is indeed a prediction in action.

Prediction connotes time. But with God the future is present. Both type and antitype are always before His mind. They are two: yet as type and antitype they are expressions of one and the same idea or counsel. He sees this idea or counsel in its complete and incomplete development. If He admits a creature to the participation in this vision, if He inspires him to write of what he sees, if, in one and the same prophecy, He employs human language to speak of these two objects, distinct yet so essentially related, then we have compenetration.

Compenetration is the commingling in one and the same utterance of what is said of type and what is said of antitype. To illustrate this phenomenon, let us take the prophecy of the Virgin Birth in Isaias (vii.) with the

explanations of Le Hir and Cardinal Billot. The prophet's vision embraces two distinct objects. He is foretelling the birth of a child whose earliest years are to be signalized by the deliverance of the house of David from its dreaded foes. He describes this as an event which is soon to take place. But, together with this child, there appears before his eyes another and far greater Child, to whom, in truth, belong these magnificent titles: 'Wonderful, Counsellor, God the Mighty, the Father of the world to come, the Prince of Peace' (Isaias ix. 6). As these two objects are part of one divine plan, the prophet to whom God discloses His purposes passes suddenly and without warning from one to the other. In the midst of his description of one child, he is distracted—to use a term not strictly applicable—by the sight of the other, and proceeds to utter predictions which can be verified only in the latter.

An analogy may be found in a dissolving view made familiar by the cinematograph. At any one instant there is more than one picture before our eyes. The original picture is, in places, still the more easily discernible, but in other places some new picture can be made out. In the case of prophetic compenetration, however, there is always one element which may or may not find even an incomplete analogue in the cinematograph. For the objects of the prophet's vision bear a resemblance, more or less clear, to one another. This element is perhaps better illustrated by the example given by Le Hir.¹ Consider two palaces of unequal dimensions, built on a similar plan. If they were made of crystal, and the smaller were placed nearer the observer, the eye would take in, at one and the same time, the larger and the smaller. If the transparency were unequal and intermittent, the larger would not appear so distinctly, but there would be no doubt as to its existence and its principal dimensions. The same unequal transparency is found in the prophetic vision: at times one object at times another is more distinctly seen, but enough

¹ *Études Bibliques* (1869), p. 81.

is visible to enable us to say there are two objects, and to discern their resemblance. The specific feature in this kind of prophetic narrative—prophetic vision as narrated in the inspired text—is precisely this mingling in the same utterance, even in one and the same sentence, of what is said of type and what is said of antitype. The phenomenon combines the element of prophecy and of type, and supposes and describes a harmonious ordering of the future which claims God as its author. It is practically limited, therefore, to such writings as are inspired.

Compenetration is not an invention of modern biblical scholarship. It was enunciated by St. Jerome, *Doctor Maximus*. Commenting on Daniel xi. 21 ff., he writes that this is the common opinion of his day, ‘what befell Antiochus beforehand in part is to be accomplished in Antichrist in full.’ St. Thomas, doubtless following St. Jerome, in his preface to the Commentary on the Psalms, says: ‘Prophecies are sometimes uttered about things which existed at the time in question, but are not uttered primarily with reference to them, but in so far as they are a figure of things to come: and therefore the Holy Ghost has provided that, when such prophecies are uttered, some details should be inserted which go beyond the actual thing done, in order that the mind may be raised to the thing signified,’ and he illustrates this from the case of Antiochus and from Psalm lxxi., ‘which according to its title deals with the kingdom of David and Solomon, but there is something said therein which exceeds the power of that kingdom.’ Among modern Catholic writers, Le Hir,¹ Cardinal Billot,² Father Pesch,³ and Dr. Székely⁴ have put forward the same principle. It has been expounded in English by Father Lattey.⁵

The value of this principle is evident: but at first sight it may seem to labour under one great difficulty. How can it be reconciled with the inerrancy of Scripture? To

¹ *Études Bibliques* (1869).

² *Ibid.*, June 5 and 20, 1917.

³ *De Inspiratione*, p. 506.

⁴ *Hermeneutica Biblica*, p. 238.

⁵ *Back to Christ*, pp. 64-73.

use one example from Isaiah vii. : if the prophecy refers to the Messiah, and admittedly contains details which are not true of the Messiah, how are we to escape the conclusion that there is error in the sacred writings? Lord Bacon, early in the second book of his *Advancement of Learning*, lays down the principle that in sorting the prophecies of Scripture with their events, we must allow 'that latitude which is agreeable and familiar unto divine prophecies; being of the nature of their Author, with whom a thousand years are as one day; and therefore they are not fulfilled punctually at once, but have springing and germinant accomplishment throughout many ages, though the height or fulness of them may refer to some one age.'

In these words we can find the basis of the explanation of the apparent failure of Holy Writ in the matter of inerrancy in some of the prophetic utterances. The prophet, or more accurately God Himself, envisages in these utterances many germinant fulfilments, as well as the completely developed fulfilment of His words. He can do this, because all time is present to Him and His knowledge and power extends to what is in the future, as viewed by us. Our difficulty really arises from our limitation as creatures. We do not know the future, and we cannot see that one event is a germinant expression of another event, which will be the full blossoming of the utterance which refers to both. If once we realize the true nature of the prophetic writings, the principle of compenetration, so far from presenting any difficulty, will force itself on us as the necessary method of exegesis in many passages.

The inerrancy of Scripture is indeed a general principle applicable to the whole Bible. But literary form in every case determines the manner of its application. It is easy to fall into the habit of looking on the Bible as one book, and consequently to assume unconsciously that a uniform method of interpretation must be applied to it. But such a process would be as unreasonable in this instance as it would be if performed on a collected edition of, for example,

Aristotle's *Ethics*, Virgil's *Aeneid*, Thucydides' *History*, Plato's *Dialogues*. The Bible is a collection of books—not indeed fortuitous, as the criterion of inclusion is the fact of inspiration. But, though inspired, they differ as much among themselves as do the pagan writings instanced above: and the truth of an allegorical or poetical writing is not the same as that of an historical narrative.

Consideration of these facts will solve our present difficulty. The whole trouble arises from our applying a wrong standard. The prophetic utterances must not be judged as are exact statements of history. A prophecy is not merely a precise announcement as to a future fact. It is not correctly described as history written—or spoken—before the event. It is something fundamentally different from history, and indeed from every other form of literature, inspired or not inspired.

By the wear and tear of ordinary speech, the word 'prophecy' has been narrowed to the sense of 'prediction': and there are many readers of Scripture to whom it conveys nothing more than the foretelling of the future. But the reference to the future is not the sole, or even the chief, function of prophecy. The prefix 'pro' has not primarily a temporal sense: it means rather 'forth,' and prophecy is a pouring forth of utterance, and conveys an immediate Divine message; the prophet is the 'interpreter' of God. This is the meaning of the Greek no less than of the Hebrew word. The essential distinction, then, of prophecy is to be found in its spirit and matter. For our present purposes it will be sufficient to insist upon the contrast which it offers to history.

For history, chronological sequence is an essential consideration; in prophecy the relation of events in time may be entirely disregarded. Again, in dealing with the future, the historian arrives at his opinion by a more or less wide induction: it is at the best largely conjectural. The prophet utters the mind of God, to whom the future is as clear as the past. Further, precision and accuracy are essential in an historical narrative: but in prophecy a certain obscurity

of expression, at least the absence of a description completely determined at all points, is called for by the purpose which it has to serve. Complete definiteness of prediction would lessen considerably the force of the apologetic argument from prophecy, as it would leave it open to the suggestion that human will and foresight had been responsible for the realization of the prophet's utterance. Provided that there is sufficient clearness in the prophecy to enable us, after the event, to say that the event is a fulfilment of the prophecy, one of God's main purposes in employing prophecy is attained. And in the particular species of prophecy which is found in the relation of type and antitype, as already explained, this obscurity of utterance is essential. For, paradoxical as it may seem, without this further description of antitype, contained in or added to the description of the type, we could not always feel certain, from a consideration of the prophecy and its fulfilment, that our assignment of the relation of type and antitype in any particular instance was anything more than a human deduction from the words of Holy Writ. An examination of the facts would reveal a resemblance; but one that was a type and the other the antitype, strictly so called, we could not always know—apart, of course, from some explicit and formal revelation.

The unique character of prophecy, then, makes it impossible to apply the same principles to it as we do to an historical narrative. If, for example, Isaias promises a sign, and proceeds to prophesy the birth of the Messiah, there is no reason for asserting that he has erred; he is not pretending to write history. A prophecy calls for a specific and individual canon of interpretation; and the canon here is the principle of compenetration.

We have already seen that this principle is not a modern discovery; it was stated—or at least implied in particular instances—some fifteen hundred years ago. But we may go further than this. So far is it from being the invention even of St. Jerome and his contemporaries, it is as old as the New Testament itself. There are several cases where we

find it applied. In Acts ii. 25-32, St. Peter in his sermon to the people, immediately after the descent of the Holy Ghost at Pentecost, explains Psalm xv. as being fulfilled in the resurrection of Our Lord. 'For David saith concerning him: I foresaw the Lord before my face. . . . For this my heart hath been glad, and my tongue hath rejoiced. . . . Because thou wilt not leave my soul in hell, nor suffer thy Holy one to see corruption' (Acts ii. 25-27, quoting Psalm xv. 8-10). St. Peter proceeds: 'Ye men, brethren, let me freely speak to you of the patriarch David: that he died, and was buried: and his sepulchre is with us to this present day. Whereas therefore he was a prophet, and knew that God hath sworn to him with an oath, that of the fruit of his loins one should sit upon his throne [Psalm cxxxi. 11]; foreseeing this, he spoke of the resurrection of Christ. For neither was he left in hell: neither did his flesh see corruption.' The promise of incorruption, etc., was not fulfilled in David: yet he speaks throughout Psalm xv. in the first person, with references to his contemporaries (verse 3) and his prosperity (verse 6). But as David was a type of Christ, a germinant expression of what was to be fully developed in Christ, in his prophetic utterance he passes from himself to Christ without any sacrifice of historic truth. It is noticeable that St. Peter states the ground of this method of expression: David was a prophet, and he knew that Christ was to be the full representative of what he himself was in part. 'God hath sworn to him with an oath that of the fruit of his loins one should sit upon his throne.' Christ was this one, another David—even in a real sense, the true David, of whom David the sinner was a foreshadowing, a preliminary expression.

The same principle is used by Our Lord Himself in explaining the prophecy of Malachy (iv. 5) as to the return of Elias. That prophecy has received a first fulfilment in the mission of John the Baptist: its complete accomplishment is reserved for the future. Malachy wrote: 'Behold I will send you Elias the prophet, before the coming of the great and dreadful day of the Lord.' This clearly has a primary reference to the end of the world. But Christ tells

us that it is fulfilled in the Baptist. 'And if you will receive it, he is Elias that is to come' (Matthew xi. 14). After the Transfiguration, the disciples return to this same prophecy: 'Why then do the scribes say that Elias must come first? But He answering said to them: Elias indeed shall come, and restore all things. But I say to you, that Elias is already come. . . . Then the disciples understood, that He had spoken to them of John the Baptist' (Matthew xvii. 10-13; cf. Mark ix. 10-14). In these two cases, we have an authoritative use of the principle of compenetration. And many instances might be given where, though such a use cannot be supported by the authority of the inspired text, it gives at least the best, if not the only, interpretation. We have already mentioned the prophecy of the Virgin Birth, the prophecy of Daniel xi. and Psalm lxxi. The same is found in the predictions of the fall of mighty cities and proud empires, in the description of which there are many details which are to be fulfilled at the last day in the final cataclysm. In Isaias, Jeremias, Joel we have magnificent predictions of the *dies Domini*, the day of Jehovah. The immediate subject of these prophecies may be some particular calamity; but with it they combine characteristics which will mark the real *dies Domini*, the end of the world—for example, the obscuring of sun and stars, the shaking of the earth to its foundations, the rolling up of the heavens. The eschatological discourse of Our Lord possibly falls into the same category. The destruction of Jerusalem typifies the destruction of the world, and possibly both facts are at times embraced in the same descriptive detail.

To sum up, then: Compenetration gives us a principle of wide application, and very great importance. It does not militate against the inerrancy of Holy Scripture, but must be applied with caution. It is not a modern instrument of exegesis—in two cases at least its use is guaranteed by the inspired text. It was generally accepted in the time of St. Jerome, and has been propounded in our own days by several Catholic students of Holy Writ.

ROBERT HULL, S.J.

SOURCES OF ST. JOHN'S LOGOS DOCTRINE—II

BY REV. FRANCIS CLARKE

I—GREEK PHILOSOPHERS

(b) STOICISM

IN a previous article¹ we have examined at some length the Logos theory of Heraclitus, because he was the first to apply the term Logos to the rational force pervading the entire Cosmos; and because the Stoics, accepting in the main his teaching, essayed to found upon it a religion and a morality. Hence, even if his speculations do not directly affect the prologue to the Fourth Gospel, still their offspring, Stoicism, is claimed by many to be the source whence St. John drew his sublime Christian teaching. Thus, Dr. Rendel Harris (and he is not the first, but rather the latest) would have us believe that 'the evolution of the prologue to St. John's Gospel is founded in the *Wisdom of Solomon*, which is itself evolved from Stoicism.' Hence his literary parallels: The Word was in the beginning—Wisdom was in the beginning; the Word was with God—Wisdom was with God; The Word was God—Wisdom was God.' It is only necessary now to show that Wisdom is identical with the Stoic God, which he does, again employing the literary method. Hence he arrives at this equation: The Logos is Wisdom, Wisdom is the soul of the world; but the soul of the world is Zeus, and Zeus is the Stoic god, whether he is described as the Fiery Vapour, Ether, the Mind in matter, the Soul of the Cosmos, the Universal Law, Fate, Destiny. And thus: 'The prologue of St. John's Gospel is a Stoic product.'² But is this literary method a safe guide,

¹ I. E. RECORD, October, 1922, p. 390 ff.

² Cf. *Stoic Origin of Prol.*, 10, and *Ryland's Bulletin*, Jan., 1922.

especially if used by itself? Has it solved any, or rather has it not created many, difficulties? Do we not know as a fact that many literary experts, basing their conclusions on similarity of vocabulary and style, in other parts of the Sacred Scriptures, have confidently arrived at diametrically opposite and opposing views. We need only cite the cornerstone criticism of Peter and Paul (Rom. ix. 33; 1 Peter ii. 6) to see how hopelessly they disagree when using merely linguistic considerations.

Besides, we know that Wisdom was written by an Egyptian, if not an Alexandrian, Jew. The author's purpose was to warn and guard his fellow Jews against the encroaching influence of Greek, and especially Stoic, philosophy, which had already led some to forsake the religion of their fathers. His brethren were seeking wisdom, but, surrounded by pagan teaching, it was a false wisdom that was attracting them. His sole aim therefore was to put before them the true wisdom, which was to be found in their Jewish religion. If, therefore, he uses Stoic phraseology, it is because his readers would already be familiar with it, as well as to attach a meaning to this terminology which was beyond the reach of Stoic thought. He is not preaching, but rather attacking, Stoicism, and is therefore constrained to use something of their language, but his concept is always Hebrew religion. However glowing may be the language in which the Stoics array their Zeus, they cannot convert it into anything else but a material Fiery Vapour, manifesting itself with supreme indifference in the sun, the stars, or the dung-heap. Is this gross Pantheism a Jewish or Christian concept of Deity? Is not Wisdom herself said to be more beautiful than the sun, superior to all the stars. Again, if early Christian teaching, especially in its Logos doctrine, was so clearly allied to, and dependent upon, Stoicism, how is it that Stoics despised and even persecuted the Christians? Why should Athenagoras have to write an unavailing entreaty for justice to his fellow-Christian to the Stoic persecuting Emperor Marcus Aurelius?

It would seem, therefore, to be a much safer and more

convincing method to fathom, as far as possible, the real teaching of Stoicism itself, to find out whether there may be in it any material out of which the sublime Logos doctrine of St. John could possibly be manufactured. This method we propose to follow.

The Stoics, then, accepting the cosmological speculations of Heraclitus, endeavoured to erect on this purely material foundation a moral edifice to act as a lighthouse to guide wandering humanity into the harbour, if not of peace and happiness, at least of complacent apathy. Their effort was not to account for the origin or order of the Cosmos, but to discover in the reasonable principle which ruled it a standard of right living and a God to serve and adore. Morality, not cosmology, was the object of their pursuit. For this they are to be given every credit, for their age required the stimulating influence of a practical code of ethics to uplift it. If they studied philosophy, it was not out of speculative interest, but rather to deduce a practical morality. Hence they divided philosophy into logic, natural science, and ethics. Logic was admitted as a means of sifting truth ; natural science was necessary, because if man's duty was to live according to the laws of nature he must know these laws ; but ethics was the goal of all their studies, the crown of all their mental efforts. We may, therefore, regard the Stoics as moralists rather than philosophers, as religious teachers rather than professors.

Let us not, however, seem altogether over bold, in venturing to assert, despite very weighty dissent, that Stoicism was not a pure product of pure Greek thought. Oriental mysticism was more or less mingled with it. The Persian invasion of Greece led to a counter invasion on the part of Greece into the Persian empire, commenced by the Macedonian Philip, and brought to a successful issue by his son, the great Alexander. This military undertaking had other and more lasting results than mere warlike achievements. West met East, and each had something to learn from the other. If Greek culture gave something of her language and civilization to the East, we

cannot but believe, that, in return, it acquired something of Oriental religious and ethical thought. If Alexander and his legions respected the sanctity of the Temple at Jerusalem, it was probably as much on religious grounds as political. If there are ethical notions common to Judaism and Stoicism, it is easier to credit that the latter borrowed from the purer religion of the former. According to Sir A. Grant, 'the stern morality and religious character of the Stoic teaching may be traced to Semitic influences. Its very essence consisted in the introduction of Semitic temperament and Semitic spirit into Greek philosophy.'¹ Certain it is that the early founders of Stoicism were of Eastern origin.

Zeno, the father of Stoic teaching, was born in Citium, in Crete, where flourished a large Phœnician colony. Hence he was sometimes described as the Phœnician, and, in the opinion of Bishop Lightfoot, was probably of Semitic stock (col. 273). We may fix the date of his birth and death somewhere between 350 to 250 B.C. He was, therefore, a contemporary of Philip of Macedon, and witnessed the rise of that kingdom on the ruins of Greek independence. He began life as a merchant, but a storm at sea altered his future career. Shipwrecked on the coast of Attica, a chance visit to a book-shop introduced him to Greek learning, of which he seems to have become, at once, greatly enamoured. After a prolonged study he opened a school at Athens, 318 B.C., at a place called the Stoa, or porch of the poets. From the name of this meeting-place, his disciples were known as the Stoics. He is said to have led a sober, abstemious, and even austere life, and, true to the trend of his teaching, when he considered his time had come, quitted this world by suicide in his ninety-eighth year.

Cleanthes, disciple of Zeno, who carried on the work so well begun by his master, was a native of Assos, in the Troad region of Asia Minor. Owing to his great poverty he was forced to labour during the day-time, his

¹ *Ethics*, Aristotle.

nights alone being free for study. He is perhaps best known as the author of the extant and much admired hymn to the Deity. We may consider him as the first hunger-striker, for he starved himself to death 240 B.C., in the ninetieth year of his age.

Chrysippus, considered on account of his genius as the second founder of Stoicism, was born at Tarsus, the early home of St. Paul, somewhere about 280 B.C., and is reported to have died of drunkenness, 206 B.C. It is evident, therefore, that none of these early Stoic philosophers were pure Greeks. They were Orientals, at least in origin, and in later times Tyre, Sidon, Rhodes, Carthage supplied Stoicism with its principal exponents. No great teachers came from Greece proper. Even Seneca's mother was a Spaniard, and he was born in Spain; Epictetus, perhaps the loftiest example of Stoicism, was a Phrygian slave. We could, then, hardly expect that this doctrine should entirely escape Semitic and Oriental influences. This may account for the moral trend of Stoicism, as compared with earlier Greek thought, especially when we allow much to the influence of Persian and Egyptian religious systems.

The times, too, favoured the spread of this new teaching. The Greek philosophers, by their open contempt of the popular religion, no less than their futile endeavour to find, in allegory, an explanation of the foolish and immoral accounts of the gods, had only precipitated religious and moral bankruptcy, at least in so far as the more educated classes were concerned. Their various and opposing schools of thought, degenerating into mere dialectic duels, yielded naught but a widespread scepticism. Men lost belief alike in the gods and in the conclusions of philosophy. In consequence, morals were lax, education pedantic, the physical and patriotic fibre of the populace eaten away by slothful indulgence and frivolous amusements. In the midst of this decay, the phalanxes of Macedon, under the astute leadership of Philip, were gathering on their frontiers. In vain the burning eloquence of Demosthenes, in vain the valour of the sacred Theban band. Degeneracy had set in

with flowing tide. Chaeronea rang with the death-knell of Greek independence, 338 B.C.

This shattering of their political, religious, and philosophic foundations gave birth to Stoicism. There was an endeavour to return to 'common sense'; an effort to stem the tide of corruption. Oriental Greeks had observed in their own cities something of the unfailing loyalty and stubborn endurance of the Jews. A similar spirit must be aroused amongst their own brethren. The idealisms of Plato were of no avail, speculative theorizing useless. A stern, uplifting standard of living was required by the circumstances, and this the Stoic philosophers were prepared to teach, as well by example as by word of mouth. Zeno began this propaganda. He sought to free himself and others from degeneracy and slavery. To national caducity he preached the glory of manhood, as an offspring of the Divine, and capable of equality with it; to sapping sensuality, the conquering duty of self-denial; to frittering frivolity, virtuous living, as the only means of real felicity. His aim was noble, his efforts praiseworthy, his own life an example; and he was fortunate in finding able disciples to carry on his grand ideal. It is noteworthy that no native Greek of importance had any hand in founding or fostering this new philosophy of life. Many of the better class Greeks, however, readily attached themselves to their new masters; for the ordinary populace this teaching was too lofty to understand, too difficult, nay even impracticable, to follow. This is one of its innate failings; it was an ethical code for the select few, and not, as Dr. R. Harris assumes, a popular religion, a sort of Salvation Army.

Going back to the teaching of Heraclitus, the Stoics regarded ethereal fire as the physical principle of all things. It was esteemed rational, intelligent, inasmuch as it fashioned the universe with method, order, and beauty (the *πῦρ τεχνικόν*). By its very nature it was compelled to operate—there was no extraneous compulsion, since nothing was superior to it. Everything originated in empyrical vapour; everything must, eventually, be re-absorbed into

it, in one of the periodic conflagrations. For when this primordial fire has exhausted itself, as it were, in creation, it returns in cycles to its pristine state, but only to commence its work all over again. As it was eternal there must have been eternal cycles of worlds and conflagrations, similar worlds, similar beings, and similar events recurring. In another Athens another Socrates will marry another Xanthippe, will be accused by men like Arytus and Melitus, and will be condemned by another Council of Areopagus. Nay, another Moses will again lead out the Jewish people from Egypt. But read Origen, *Contra Celsus*, iv. 67, 68. As the result of its energies was a Cosmos, they credited this fiery vapour with a reason (Logos) analogous to reason in man. This reason was at one with it, neither prior to it in time, nor beyond it in compass, nor in any way separate or separable from it, and material as the fire itself. In this we may be able to recognize that there existed a twofold principle in this primeval fire—the one *active* the other *passive*, the primordial material in operation or being acted upon. The former was deemed the soul (Logos) of the Cosmos, the latter the body (οὐσία). Body and soul being united, the Cosmos was a living being, the god of the Stoics, though this title was more specifically applied to the soul or Logos. ‘The world was God’s body, God was the world’s soul.’¹ This is sheer Pantheism.

We must not, however, be led to think that the Stoic Cosmos was a conglomeration of separate entities. It was, on the contrary, a living, intelligent organism, complete and perfect in itself, containing both the germ of its own existence (λόγος σπερματικός) as well as the principle of its own producing powers (λόγος ἐνδιάθετος). There was nothing outside or above it. This very perfection of the Universe furnishes Zeno with his argument for its rationality—thus : What is reasonable is more perfect than what lacks reason ; but nothing is so perfect as the Cosmos ; therefore the Cosmos is reasonable.² The

¹ Schwegler and Phil., 125.

² Cf. Le Breton. Trin. Orig., 47, where will be found the Greek and Latin quotations in convenient form.

soul of the Cosmos, as we have seen, was the Logos, the immanent eternal reason, the active principle of creation, identical with and absolutely one with it. This notion, also, the Stoics accepted from Heraclitus. To his concept of the Logos they added, however, a twofold attribute, taken from the analogy of human reason. As reason in potentiality they termed it *ἐνδιάθετος*, as reason made concrete in visible things, *προφορικός*, corresponding to reason and speech in man. It was further considered *σπερματικός*, the germ from which all springs. They further divided the Logos into inferior Logoi: these latter were the powers affecting the different acts of creation. There was a supreme Logos acting in the universe through inferior Logoi. By means of these they were able to allegorize Polytheism into their system. Zeus became the Logos; the other gods, Logoi, sprung from, and subordinate to, Zeus, and would be re-absorbed by him at the world's conflagration. Emphasizing an earlier current of Greek thought, the Stoics identified the gods of the Pantheon with the forces of nature, and this they did, not to shock the popular religion, in which, of course, they did not believe. Thus also a principle of unity was found, for the forces of nature could be more readily unified than the anthropomorphic gods of Olympus. The result was certainly a purification of religion, for the obscene legends of mythology were replaced by the more powerful and mysterious laws of nature. Polytheism gave place to Pantheism.

To sum up, the Logos was the determining principle of all creation, the vitalizing force of all being, the seed from which all grew. It was the law which ruled the Cosmos, the bond which held it together. It was also the law which enchained man; their simile is as a dog held by its collar and chain to a moving chariot. It was the author of his whole being and his final end. It was, in a word, his god all in all. How sad to think it was material and at one with the universe. Had Stoicism only been able to transcend its Logos from the material Cosmos, how nearly

would it have approached the Christian concept of God. What a calamity, perhaps, that later Stoics could not overcome the innate vices of their system—pride and egotism. Then a Seneca might not have ignored, an Epictetus not have despised, a Marcus Aurelius not have persecuted the followers of Christ. But of the immaterial they had no notion; even Plato's idealism was too unsubstantial for their philosophy. Everything to them was grossly material.

Nothing, in their view, could really exist but what was material. Their primordial fire was material; their Logos was material; the body and soul of the universe were material, as was the body and soul of man; their ethical standard was material; their notion of virtue material; their God itself material. There was no escape; materialism, as a deep mire, completely immersed them. Thus Zeller: 'Nothing exists but what is material, since only material things can act or be acted upon. . . . God is universal matter, . . . the soul is matter . . . virtue, vices, truth are all due to the atmospheric bodies residing in the soul.'¹

It is well to remember this when reading Stoic literature, for there is much in it that is specious and attractive. Unless on our guard, we are only too apt to carry Christian ideas into their expressions, and thus form false notions as to their true teachings. They may use language closely resembling, even identical with, Christian phraseology, but what an abysmal depth divides their meanings. They may sing praise to 'The Father of us all,' extol the wisdom of the 'Creator and Ruler of the Universe,' speak with reverence of the 'Indwelling Spirit,' rejoice over the 'Soul ascending to heaven,' denounce 'Sin' and glory in 'Virtue,' in Christ-like language, but what bathos it becomes when we strip their material concepts of their purple and fine linen.

When we recognize in the 'Father of us all' only an unconscious fiery vapour, it is hard to grow enraptured

¹ *Stoics and Epic.*, 121-149.

about it; neither can we be expected to appreciate the wisdom of the 'Creator and Ruler of the Universe,' when we know that it is this same fiery substance, considered as the law of nature, which cannot help itself, and cannot possibly know or care for what it creates. No, the Stoic god of Cleanthes, divinely though he may sing of it, was after all only an 'It'; and in singing the praises of Zeus, he was, most likely, thinking of the sun. His god is not a person. It was not a Father, who knows and loves his children, to whom they may lay bare their heart needs in hearkened prayer. It was rather the irresistible Fate, the irrevocable Destiny, that ogre of a crushing power, from which there was no hope of escape, no means of overcoming, no method of appeasing; with 'no ear for prayer, no heart for sympathy, no arm to save,' but which pursues relentlessly its victims until finally it gorges them up in its fiery maw.

Some Stoics felt the oppressiveness of this inexorable Destiny, though we must add that the Stoics we have already alluded to found in it a great support in life; yet even these either practised on themselves or taught the duty of suicide. The 'Indwelling Spirit,' being only a material fragment of this same elemental fire, is devoid of all grace and beauty and spirituality. Even the 'Soul ascending to heaven' must needs shed its golden wings, when we call to mind that itself is only a material spark of material fire being re-absorbed into the material fire from which it sprung.

As to their ultimate notion of *Virtue*, it was to conform oneself to the laws of nature. Yet even this conformity was really not of free choice but of necessity. The only freedom left to man was to be willing to do what, even unwillingly, these same laws would compel him to do: the poor little dog, chained to the running chariot, can run with it of its own motion; if it does not it will be dragged along. From which also it follows that they could have no notion of *sin* as a deliberate offence against a personal being. Need we be surprised then that, in spite of all their high-

sounding phraseology, Stoic teachers expressed views on morality that were even shocking to their contemporaries. Zeno, as well as Chrysippus, advocated a community of wives, permitted marriage of the closest relations, were not averse to cannibalism, and at least tolerated shameless offences against nature, and pleaded for these things the examples of animals, to show that they were according to nature. 'The early Fathers cite examples of these vices, but consult Zeller, 307, who tries to mitigate these crimes.

Even the much-lauded Seneca, forgetting the debt of gratitude he owed to Agrippina, wrote a letter to the Roman Senate justifying the brutal matricide by Nero. With a Pauline fervency 'he declaimed in praise of poverty with £2,000,000 out at usury, railed against luxury in a gorgeous mansion, preached the simple life in a garden that was the envy of kings, and extolled liberty whilst being the pampered slave of a tyrant,' as Macaulay expresses it. The sainted Marcus Aurelius, after slaughtering his enemies, could retire to his camp and write aphorisms on the love of mankind. He was even so broadminded that he fostered in his realms every form of teaching, every kind of religion, no matter how gross or absurd: only the religion of Jesus Christ was the object of his persecuting moods, notwithstanding the noble *embassy* of Athenagoras.

The Stoic Logos teaching was therefore essentially materialistic and pantheistic, and if, following Zeller's opinion of Philo, we were to strip it of these essential elements, what would remain of their doctrine? Just as much as there would be left of man were we to take from him his animality and rationality. On this gross materialistic foundation they strove to erect a moral edifice, wherein wandering humanity might find, if not real happiness, at least complacent apathy. 'The all-pervading fire was at the same time the all-seeing providence.'¹

Nor must we forget that to the Stoics the Cosmos was a living, rational, divine organism, yet material withal—

¹ *Mayn. Hist. Phil.*

man, a portion of it, similarly enjoying this threefold nature. His supreme duty, then, as it was the highest virtue and real happiness, was to regulate his life in strict conformity with the order of this organism. It was the originator of his whole being, it must be the norm of his ethical conduct. Now this world-organism was controlled and directed in all its actions by fixed immutable laws; man, as part, must render obedience to these same universal laws. Whatever lot in life comes to him comes from them. Virtue, as well as felicity, requires him to submit willingly and knowingly, but in any case he must submit. It is Fate, Destiny, Necessity. The part, then, must lie in complete subjection to the whole. Whatever pertains to the Ego, to self, such as pleasure or pain, wealth or poverty, honours or dishonour, health or sickness, longness or shortness of life, must be regarded with complete indifference, and looked upon, as of themselves, of no real moral worth. Sent by the hand of Destiny, acquiescence was a duty. Patient endurance was the keynote of a wise living, and reason the only thing to be cultivated, for this led to the Logos or Universal Reason. Reason was paramount in the Cosmos, it must be paramount in morality. Reason ruled the Universe, it must perforce rule the conduct of men. Everything was, of necessity, obedient to its decrees; man could be no exception. 'No freedom was allowed to man, either by Stoic natural science or Stoic ethics. The claims of the natural law and the claims of ethics were inexorable.'¹ We have thus the Necessity, the Fatalism, the Destiny teaching of the Stoics. The unbending laws of nature, which is God, ruled over all. One and the same was the law of the elements, the law of brutes, and the law of man. The same ethereal fire, the same Logos, is their substance and animating principle. Of origin alike, their final end is alike. At the conflagration all will be equally absorbed. Thus the votaries of Stoicism were given no prospects of a future personal existence, any more than the

¹ Zeller, 380.

beast of the earth or the grass of the meadows. They were simply the slaves of blind forces and unconscious laws, however much they may try to adorn them in high-sounding-phrases. Of course, none of them lived up to their impossible ideal, and thus, perhaps, found life tolerable; some of them preached high precepts, but failed miserably to practise them in their own lives, as, for example, Chrysippus and Seneca; others again became so eccentric in their dress and coarse and brutal and even indecent in their manners as to excite sometimes anger, but mostly ridicule. If they did on occasions show they were 'akin to human nature,' it was not as an outcome but rather despite their moral precepts.

The idea of personal service to a personal god was undreamt of in Stoic ethics. Punishment was inconceivable, since all was dire necessity; rewards they could not expect, save the reward of egotism, since their moral perfection was achieved, not by superior aids, but by their own exertions. When life could accomplish no more, or found its state intolerable, it was a duty to quit it by suicide, as all their great teachers taught, even down to Marcus Aurelius, and so many put into practice. Having nothing better to oppose it than Epicureanism, this ethical code extended wide and prevailed long. It was a force in the world long before the dawn of Christianity, flourished years alongside, and many years after, the teaching of Christ and His Apostles, and contested with Christian morality for the empire of men's conscience.

Can it then, with reason, be asserted that St. John drew his notion of the Logos from this material and Pantheistic source, especially if we keep in mind that the Stoics despised and persecuted the Christians and the Christians disliked the proud Stoics. Can it be even shown that he was acquainted with this offspring of pagan philosophy, save, perhaps, with a few of its offensive dilutions, which Cerinthus may have carried to Ephesus.

What, may we confidently ask, was there in common with this gross material Pantheism and the sublime spiritual

teaching of St. John, save the one term Logos ? Yet how abysmal is the depth separating St. John's meaning of this word and the Stoic concept. To them the Logos stood for a cause, a force, a fiery vapour in action, as material as the world it pervaded, of whose substance it was ; to St. John the Logos was the Eternal Son of God, Who, clothing Himself in human nature, came to seek and to save all that were lost.

Was there anything in the conduct and character of Stoic teachers themselves to attract the followers of Christ ? We know their egoistic pride was offensive to the humility of Christian life. If Stoics despised Christians, Christians disliked Stoics. We cannot imagine any approach between them. No ; we must not seek in Stoicism the source of the central truth of Christianity : The Word became flesh and dwelt amongst us.

But Philo Judæus took up the Stoic concept of the Logos, modified it by Platonism, Oriental Mysticism, and Egyptian Mythology, and thus gaily arrayed endeavoured to find it a home in Judaism. Disguised in this way, it supplied, perchance, some notion of the Logos teaching of the Prologue to the Fourth Gospel. It is so asserted. Let us then examine this theory also.

FRANCIS CLARKE.

To be continued.]

THE EPISCOPAL SUCCESSION OF KILMORE (1231-1560)

By W. H. GRATTAN FLOOD, Mus.D., K.S.G.

SOME day it will be a profitable task for a serious student of Irish ecclesiastical history to tackle the early and medieval episcopacy of ancient 'Breifne,' 'Ui Bruin,' or 'Tirbruin'—now known as Kilmore. My present paper is an attempt to give the episcopal succession in that diocese from 1231 to 1560.

Tuathal O'Conaty, who was present at the historic Synod of Kells, in 1152, is described in the native annals as 'Bishop of Breifne' or 'Ui Bruin.' His death took place in 1179. In 1215 Flann O'Conaty appears as Bishop, and his *obit* is chronicled by the *Annals of Loch Cé*, in 1231.

Conal MacNeill ruled from 1231 to 1250. He is described as 'Bishop of Breifne,' and, on his resignation, a royal licence was asked by the Dean and Chapter to elect a Bishop. This is the first instance in the case of the see of Kilmore in which licence was asked from the Crown of England, but the underlying reason was in order to secure the temporalities, which could only be granted when the Bishop-elect was confirmed by the Crown. From the Patent Rolls, 24 Hen. III, we learn that, on May 27, 1250, the King granted licence to the Dean and Chapter 'Tir-bruinensis,' at the request of 'Patrick their clerk,' the see being described as 'vacant by the resignation of Congal, late Bishop.' Apparently, Simon O'Rourke was elected, and ruled till 1285, under which date his death is thus recorded in the *Annals of Loch Cé*: 'Simon O'Ruaire, Bishop of the Breifne, in Christo quievit'—the exact date being given as 'the Kalends of January, Monday, the 18th of the moon.'¹

¹ Vol. i. p. 493.

Royal licence to elect an Abbot of Kells was granted on October 13, 1286, and, fortunately, the entry on the Patent Rolls gives us the information that Maurice, the late Abbot, had been elected 'Bishop of Kilmore' [Tirburnensis]. The value of the see, in 1306, was returned as 10 marks, and the tenth as 13s. 4d.; the total taxation of the diocese being given as £23.

There is a lacuna from 1300 to 1314, but in the latter year the *Annals of Loch Cé* chronicle the *obit* of 'Matthew MacGivney [Mac Dhuibhne], Bishop of the Breifne.' The surname in the *Four Masters* is incorrectly given as 'Mac Uibhne'—the 'dh' initial letter being omitted, as Hennessy points out. Bishop MacGivney was succeeded by Conor 'MacAnaw [Mac Consnamha], who ruled from 1314 to 1355. The only reference to him is his *obit*, in the latter year: 'Conchobhar Mac Consnamha, Bishop of the Breifne, in Christo quievit.'

Richard O'Reilly was appointed Bishop of Kilmore in 1356, and ruled till 1369. He was excommunicated by the Primate in 1366 for a serious offence, but, after due reparation, was formally absolved by Master Thomas O'Sheridan, acting for the Primate's Commissary (William O'Farrelly, Coarb of St. Moedhoc), on January 15, 1368. This submission, as appears from the *Register of Archbishop Sweetman*, was 'sealed with the common seal of the bishop and clergy.' It is more than probable that the matrix of the seal used on this occasion is that which is now in the British Museum, and which is certainly of the mid-fourteenth century—the legend on it being: 'Sig. commune cleri Tirbriunensis.' Incidentally, it may be well to explain that 'Coarb of St. Moedhoc,' in the present instance, means Prior of Drumlane, although the designation has also been applied to the Bishops of Ferns.

Bishop O'Reilly died in 1369, as we learn from the *Annals of Loch Cé* in that year: 'Richard O'Raighilligh, i.e., Bishop of the Breifne, in Christo quievit.' His successor was John O'Reilly, whose rule was somewhat stormy. In 1388, Thomas de Rusbook, O.P., the exiled Bishop of

Chichester, was translated by the Pope to Kilmore, but was unable to get hold of the temporalities. Matters drifted for two years, and, at length, the crux was solved by the death of both Bishops in the same year. The *Four Masters* thus chronicle the death of the Bishop of Kilmore: '1393. John, son of Geoffrey, O'Reilly, Bishop of Breifne, died.'

In 1384 the Chapter of Kilmore elected Nicholas MacBrady, Rector of Cuil Brighdein (Castleterra), as Bishop, and this election was confirmed by the Pope. The Bishop-elect went to Rome for consecration, and the ceremony was performed on August 27, 1395. He had not a bed of roses during his episcopate, and was involved in much litigation, both secular and ecclesiastical. He was also in financial difficulties, and it was only on January 14, 1407, that he completed his payment of the taxes due to the Holy See. A year later, his troubles were increased, as David O'Farrelly, Rector of Knockbride, 'the church of St. Brigid of Disertfynchil,' went to Rome, and, having announced that the see of Kilmore was vacant, had himself appointed and consecrated on March 26, 1409.

In June, 1409, there was presented the spectacle of two rival Bishops of Kilmore, but the Primate, having summoned both of them to a visitation on July 9, 1409, David O'Farrelly's claim was scouted, and his appointment was subsequently annulled. Bishop MacBrady was present at the Provincial Council, held at Drogheda on October 12, 1411. No other remarkable event is chronicled during his episcopate, and he died in 1421. His *obit* is thus chronicled in the *Four Masters*: 'Nicholas Mac Brady, Bishop of Breifne, a man distinguished for wisdom, piety, chastity, and purity, died.'

Pope Martin V, on August 13, 1421 (Brady incorrectly gives the year as 1420), provided Donal O'Gowan (Smith), perpetual vicar of the parish church of Ballintemple, and Vicar-General, as Bishop of Kilmore, and he was consecrated in 1423. His episcopate was uneventful, and he resigned his see in 1444.

Andrew MacBrady, Archdeacon of Kilmore, was provided

as Bishop on March 9, 1444, and to him is due the conversion of the parish church of St. Felimy, Kilmore, into a cathedral church. Having erected the said church into a cathedral, and placed in it thirteen canons, he sought and obtained the sanction of Pope Nicholas V for same, but as the Pope died before the Bull was expedited, Pope Calixtus III issued a Bull confirming that of his predecessor on April 20, 1455.

Bishop MacBrady died in May, 1455, and was succeeded by Thady Magauran, O.S.A., Prior of Drumlane, who had gone to Rome on business, and having been provided a Bishop on July 11, 1455, was consecrated at Rome, being also given permission to hold his Priory *in commendam*. Bishop Magauran was present at a Provincial Council held by Archbishop Bole at Drogheda, in June, 1460.

An intruded Bishop, Fursey MacGivney, is recorded by Ware and Cotton, the latter authority placing his death as occurring on November 26, 1464.¹ The Four Masters give his *obit* as follows: 'The Age of Christ, 1464: Fearsithi Mac Duibhne, Bishop of the two Breifnys, died.'

I have not succeeded in tracing the death of Bishop Magauran, but his successor was provided on May 17, 1465, and, in the Brief of provision, the see is said to be 'vacant by the death of Thady,' thus passing over Fursey MacGivney. His successor was John O'Reilly, O.S.A., Abbot of Kells (diocese of Meath), who was privileged to receive consecration at the hands of any Bishop of his choice. Brady gives his name as 'John Engill,' and adds that he paid the Apostolic taxes on December 5, 1466. Bishop O'Reilly was consecrated early in 1467. A year later, the *Annals of Loch Cé* chronicle the burning of Cavan, 'O'Raighilligh's town,' and the Monastery of Cavan 'by the Foreigners.' Nothing further is recorded of Bishop O'Reilly, save that, according to Ware, he was alive on May 16, 1470.

There seems a lacuna in the succession from 1470 to 1476, but in the latter year Pope Sixtus IV provided Cormac

¹ Cotton's *Fasti*.

MacGauran [Mac Samhradhain] as Bishop, on November 4. In the Papal Brief the see is described as 'vacant by the death of the last Bishop,' and Cormac was given permission to retain his priory of Drumlane *in commendam*. Evidently for some reason, Thomas MacBrady, son of Andrew MacBrady, formerly Bishop of Kilmore, was provided Bishop on October 20, 1480, and thus there were two Bishops at the same period. As a matter of fact, at a Synod in 1489, and, again, at the Provincial Council of Drogheda in 1495, Cormac and Thomas presented themselves, and both were styled: 'Episcopi Kilmorensis.' Probably the hitch over Cormac's confirmation was his failure to pay the Apostolic taxes, because on November 21, 1483, he is still styled 'Cormac, elect of Kilmore,' in the Consistorial archives.

From Papal documents¹ it appears that the Holy See finally decided against the claim of Bishop Magauran, and pronounced in favour of Thomas MacBrady. The latter prelate died in 1511, on his way to consecrate a church at Dromahair, Co. Leitrim, and receives a lengthened eulogy from the Four Masters:—

The Age of Christ, 1511. Thomas, the son of Andrew MacBrady, Bishop and Erenach of the two Breifnys during a period of thirty years; the only dignitary whom the English and Irish obeyed; a paragon of wisdom and piety; a luminous lamp that enlightened the laity and clergy by instruction and preaching; and a faithful shepherd of the Church—after having ordained priests and persons in every degree—after having consecrated many churches and cemeteries—after having bestowed rich presents and food on the poor and the mighty, gave up his spirit to heaven on the 4th of the Kalends of March (or August), which fell on a Tuesday, at Druimda-ethiar, having gone to Breifny to consecrate a church in the 67th year of his age—and was buried in the monastery of Cavan, the day of the week being Friday.

Unfortunately, the death of Bishop MacBrady did not end the dispute, as, on the appointment of Dermot O'Reilly, Bishop MacGauran again put in his claim, but the Pope confirmed Dermot's provision. I have not been able to obtain the exact date of this provision, but it was apparently

¹ *Register of Pope Julius II.*

at the close of the year 1511, as we find that Dermot intending to put in force the Papal sentence against Cormac was impeded, and appealed to the Holy See. Accordingly, on June 3, 1512, Pope Julius issued a Bull ordering the previous sentence 'to be firmly observed,' and directing the Bishop of Meath, and the Dean and Archdeacon of Kilmore to see that it was carried out. Cormac died a few months later, and is lauded by the Four Masters.

Bishop O'Reilly was esteemed a famous canonist, and was a man of peace. Hence, owing to the disturbed state of his diocese he withdrew to Swords, Co. Dublin, in 1519. His advice was frequently sought on matters of Canon Law, and, on November 13, 1523, he was the arbitrator in an important suit between Hugh Inge, Archbishop of Dublin, and the Bishop and Chapter of Kildare, *re* rights of visitation. Bishop O'Reilly acted as Vicar of Swords from 1519 till his death in 1529.

On June 22, 1530, on the nomination of King Henry VIII, the Pope provided Edmund Nugent, O.S.A., Prior of Tristernagh, Co. Westmeath, as Bishop of Kilmore, with permission to retain his Priory *in commendam*. On November 30, 1539, this prelate surrendered his Priory to the Royal Commissioners, and on March 20, 1541, he was promised a pension of £26 13s. 4d. yearly, for life, payable out of the revenues of Tristernagh. This act of surrender was viewed as evidence of heterodoxy, and, accordingly, on November 5, 1540, the Pope provided John MacBrady, Doctor of Canon Law, to the see, with permission to retain his parochial church of St. Patrick's, Kildrumferton (Crosserlough).

Although Bishop Nugent is said, according to Ware, to have died 'in the reign of Queen Mary [1553-1558],' it is certain that his death occurred about the middle of October, 1550.¹ He held the see from 1530 to 1540, and although Dr. Brady became in the latter year *de jure* Bishop of Kilmore, yet he allowed his predecessor to enjoy the

¹ *Cal. State Papers, Ireland, 1509-1573*, p. 109.

spiritualities and temporalities of the bishopric, contenting himself with the revenues of the parish church of Cavan. Bishop Nugent never renounced the Catholic Church, and cannot by any means be regarded as heretical, but he temporised; merely, however, acknowledging Henry VIII as ruler in temporals, and he died in communion with the Holy See, living in retirement like his predecessor, Bishop O'Reilly.

Curiously enough, Bishop Brady [MacBrady] is regarded by all writers as having been in full communion with the see of Rome, and yet from a letter written by Lord Deputy St. Leger and members of the Irish Privy Council to the Privy Council of England on October 28, 1550, announcing the death of Bishop Nugent and the vacancy in the see of Kilmore, it is stated that Bishop Brady, who held the bishopric from Rome, 'did not only surrender the Bulls thereof to be cancelled, but also without any his interruption permitted the said late Bishop quietly to enjoy the same.' The Lord Deputy and Council, therefore strongly recommended Dr. Brady, 'a man born in these parts,' as a fit man 'for his preferment by the King to that see.'

It may be necessary to explain that the surrender of the Papal Bulls was by no means a sign of schism, much less heresy, for, as the late Monsignor O'Laverty definitely puts it, in his valuable *Diocese of Down and Connor*¹: 'It was quite customary for Bishops against whom there was not the least suspicion of heresy, or schism, to surrender to the Crown their Bulls as a purely civil ceremony, which secured to the canonically appointed Bishop the peaceful possession of the temporalities of his see.'

Bishop Brady had his temporalities duly restored in the first week of January, 1551, and, of course, enjoyed full powers during the short reign of Queen Mary. His death occurred in 1559, just before the meeting of Parliament in that year. It is also well to note that 'no bishop

¹ Vol. v. p. 260.

of Kilmore,' as Maziere Brady writes, 'appears in the Parliament of 1559.'

The orthodoxy of Bishop Brady cannot be questioned any more than that of Bishop Nugent, and in the Bull of provision of his successor, the see of Kilmore is described as 'vacant by the death of John MacBrady of happy memory' ('per obitum bonae memoriae Joannis Macbrady, olim episcopi Kilmoren.').

Bishop Brady's successor was the Most Rev. Hugh O'Sheridan, a priest and canon of the diocese of Raphoe, who was provided to the see of Kilmore on February 7, 1560, and was permitted to retain his canonry in Raphoe. This good Bishop ruled the diocese of Kilmore, without any opposition, until his death in 1579, and was succeeded by Most Rev. Dr. Richard Brady, O.F.M., who was translated from Ardagh to Kilmore on March 9, 1580, and who ruled till 1607. Queen Elizabeth did not dare appoint a prelate to Kilmore till 1585, when John Garvey, Protestant Dean of Christ Church Cathedral, Dublin, was appointed by Letters Patent, with retention of his deanery of Christ Church and Archdeaconry of Meath.

W. H. GRATTAN FLOOD.

NOTES AND QUERIES

THEOLOGY

REFUSAL TO ASSIST AT MARRIAGE

REV. DEAR SIR,—A parish priest is approached to make the necessary arrangements for a marriage. It is desirable, it may be mentioned, to hasten the marriage in order to save the character of the *Sponsa*. The *Sponsus* is not very anxious for the marriage, but accepts it as a duty. The parish priest asks for a certain amount of marriage money. The man, a working-man, says he could not afford the amount, and offers a smaller sum. The parish priest declares he will not proceed with the marriage unless he receives the sum he names. The man departs, and the marriage does not take place. Has the parish priest any right to act in this fashion?

ÆQUITAS.

We may refer to the general law which provides that for the administration of the Sacraments the minister is on no account, either directly or indirectly, to exact or demand anything more than the offerings fixed by a provincial Council or meeting of the Bishops of the province, with the approval of the Holy See (Canons 736, 1507, § 1).

The present query has reference to the custom in certain parts of this country of making marriage the occasion of special offerings for the sustenance of the clergy. There is no law by which the amount of these offerings is fixed, but local custom is usually quite precise, and takes into account the status of the parties to the marriage. Generally, people are prepared to give the offering which custom expects from those in similar circumstances. There may, however, be some who are disposed to be less generous, and in such cases the parish priest, if he wish, may remonstrate, but he cannot in any individual case claim a certain sum as a strict right. Much less may he refuse to assist at the marriage unless he receives a certain sum. Such refusal will involve suspension, incurred *ipso facto*, and reserved to the Ordinary.¹

¹ 'Si quis sacerdos, cuius erit matrimonio assistere, adeo fuerit sui sancti officii immemor ut eidem assistere recuset, nisi obtenta prius aut saltem promissa certa quadam pecuniae summa, vel alia re pretio aestimabili, suspensionem suo Ordinario reservatam ipso facto incurrat.'—Maynooth Statutes, n. 170.

DIFFERENCE OF WORSHIP. THE EXTENT OF THE IMPEDIMENT IN THE CODE

REV. DEAR SIR,—The following question is of no present practical importance, at least to the writer, but it was discussed recently at a conference, and I would be thankful if you would give your opinion in the I. E. RECORD.

The impediment of disparity of worship has been modified by the Code. Formerly it arose whenever a baptized person sought to marry one that had not been baptized. Now it exists only between an unbaptized person and one baptized *in the Catholic Church* or converted to it (Canon 1070, § 1).

This seems so perfectly clear that some surprise was created when one of our number maintained that the rule given in the second paragraph of the same canon (dealing with cases of doubtful baptism) refers to Catholics and non-Catholics alike, when they contract with unbaptized persons. And he gave as his authority an article written by Father Slater, S.J., in a recent booklet.

Now, it is not likely that such a distinguished theologian as Father Slater would take up a position that cannot be strongly supported. Yet I fail to see how he can justify his view in the present case, if indeed the view has been correctly attributed to him. If it were true, par. 2 of Canon 1070 would appear to contradict the principle laid down in par. 1. A brief explanation will oblige.

STUDIOSUS.

It may be well to have the words of the canon in question before us :—

‘§ 1. Marriage contracted by an unbaptized person with one baptized in the Catholic Church or converted to it from heresy or schism is invalid.

‘§ 2. If one of the parties at the time of the marriage was commonly held to be baptized, or if his baptism was doubtful, the validity of the marriage must be upheld, in accordance with Canon 1014, until it has been proved for certain that one of the parties was baptized and the other not baptized.’

The view of Father Slater referred to, we take it, is that put forward in an article on Difference of Worship, in a booklet entitled, *On the Morals of To-day*.¹ We have not seen any other expression of Father Slater's opinion on the question, and the view there stated is certainly that which has been attributed to the author by our correspondent's confrère at the Conference.

We may refer ‘Studiosus’ to a very full discussion on the impediment in a former number of the I. E. RECORD.² The reply to the arguments adduced by ‘Saxon’ in that issue are equally decisive in the present

¹ Burns, Oates, and Washbourne, 1920.

² Fifth Series, vol. xiv. p. 412.

case, even though the position taken up by Father Slater is not precisely the same.

There can be no shadow of doubt that the impediment of Difference of Worship is now confined to cases of marriage between an unbaptized person and a Catholic. The law is absolutely clear, and our correspondent may consult any of the theologians who have written since the Code came into force. Therefore, we cannot see any reasonable ground for the position taken up by Father Slater. We must quote his own words :—

‘ It seems to me that we must distinguish between the two sections of the canon. The first section refers only to one who has been baptized in the Catholic Church, or who has been converted to it from heresy or schism. It asserts nothing about non-Catholic baptized persons. Very frequently . . . there is room for doubt as to the fact of baptism in the case of non-Catholics, or at least as to its validity. . . . It seems to me, then, that non-Catholics are chiefly referred to in Section 2 of the canon. The baptism of Catholics is usually certain. . . . Section 2, then, should be applied to non-Catholic marriages when occasion requires. I am led to this conclusion by the following arguments. As Father Ferreres says, heretics and schismatics must still in general be considered to be subject to ecclesiastical law unless they are expressly excepted. They are expressly excepted in the provisions of the *Ne Temere* decree, as embodied in the new Code, but they are not expressly excepted from this Section 2 of Canon 1070.

‘ The law is general, and *Ubi lex non distinguit, neque nos distinguere debemus*. Indeed, as already observed, it seems specially meant for cases of non-Catholic marriages, which for one reason or another come under the judgment of the Church. . . . It is inconceivable that the new Code provides us with no rules by which to decide practical and important cases when they arise.

‘ Cardinal Gasparri, in his references to the Code, gives some dozen decrees and instructions on which Section 2 of Canon 1070 is based. At least one, that of the Holy Office, August 1, 1883, to the Bishop of Savannah, refers exclusively to non-Catholic marriages. It seems to me, then, that though the Church asserts nothing expressly about non-Catholic marriages and this impediment of difference of worship, yet she gives us a rule whereby we may decide the practical difficulties which frequently arise from non-Catholic marriages. Applying that rule, I should say that marriage between a person certainly and validly baptized, even outside the Catholic Church, and another certainly not baptized, is invalid.’

Our observations must be brief :

1. We can see no reason for distinguishing between the two sections of Canon 1070. The first section marks a change in the law. Surely the second section must be understood in the light of that change. What would be the meaning of excepting non-Catholics from the impediment

¹ Cf. Noldin, *De Sacramentis*, n. 556 ; Ferreres, *Comp. Theol. Mor.*, ii. n. 1014 ; De Smet, *De Sponsalibus et Matrimonio*, ii. n. 586 ; Chelodi, *Jus Matrimoniale*, n. 79 ; Cerato, *Matrimonium*, n. 65.

in Section 1, and subjecting them to it in Section 2? None are bound by the impediment except those mentioned. There is no word anywhere of baptized non-Catholics, whether their baptism be certain or doubtful.

2. If the principle *Ubi lex non distinguit* is to be invoked at all, it should prohibit us from distinguishing between two paragraphs of the same canon dealing with the same law. Section 2 begins: 'If one of the parties, etc.' What parties? Obviously those of the kind specified in Section 1.

3. 'It is inconceivable that the new Code provides us with no rules by which to decide practical and important cases.' The Code does provide a rule, that, namely, the impediment is now restricted to marriages between unbaptized persons and Catholics.

4. Even if all the references to the previous law had to do with non-Catholic marriages, they would furnish no argument against the clear words of the new law.

REFUSAL TO CELEBRATE PAROCHIAL MASS TO PREVENT BINATION

REV. DEAR SIR,—Will you kindly answer the following query, at your leisure, in the I. E. RECORD. It is of frequent occurrence and, as you can see, very practical:

Is a priest bound to say one of the parochial Masses in a parish where he is spending his vacation, to prevent duplication; and if he refuses, can the parish priest prevent him from saying a private Mass?

The question was raised some years ago in the I. E. RECORD, but the answer and the reasons for it did not satisfy me. The answer was: that there was no strict obligation, as, absolutely speaking, the priest was not bound to celebrate Mass at all, provided he heard Mass, etc.

I. E. R. SUBSCRIBER.

The difficulties of this question have not been removed by the Code. Bination is allowed (apart from the faculties for Christmas Day and All Souls' Day, and from special indult), only when the Ordinary prudently judges that it is necessary. And the necessity is declared to exist when, 'on account of the scarcity of priests, a notable number of the faithful could not otherwise hear Mass on a Sunday or holiday of obligation' (Canon 806). The faculty to binate ceases if another priest is available. That is precisely the difficulty. What is the meaning of *penuria sacerdotum* in the canon? It seems to us that there is a *penuria sacerdotum* even when another priest is at hand who refuses to act and who is not bound by any law to do so. We know of no law by which a priest who happens to be in a parish is bound to celebrate one of the parochial Masses to prevent bination. 'Subscriber,' no doubt, can call to mind many parishes, in town or country, in which there is a religious house with, perhaps, several priests, having no Sunday obligations, while the

parish clergy have to duplicate regularly. Nobody would maintain that the priests in such a religious house would be bound to offer their services or even to comply with a request to assist. It is true that a Bishop may compel any priest subject to him to celebrate Mass to prevent bination,¹ but until he does so, the priest is not bound, and the conditions which justify bination still prevail.

Secondly, in accordance with Canon 804, a visiting priest, who wishes to celebrate Mass in a church, if he presents a *celebret* from his Ordinary or religious superior, is to be admitted, provided in the meantime he has committed no crime for which he should be excluded; if he has not a *celebret*, but is known, he may be admitted; even if he is not known, he may be admitted once or twice, in the circumstances stated.

It seems to us from the wording of this Canon that a priest who requests permission to say Mass, and presents a *celebret*, may not be lawfully refused. 'Admittatur,' the canon says, in this case, as distinct from 'poterit admitti,' when he has no *celebret*, but is known. So that, even though the visitor refuses to say a parochial Mass to prevent bination, we do not think he can be excluded altogether, for it is no crime to refuse to do what one is not bound to do. The refusal, indeed, may be unreasonable, as when the visitor wishes to say a private Mass at the same hour as the parochial Mass. Of course, he might be refused permission to do so, but not, we think, entirely excluded.

'Missioner' sends us a query on a subject which we may not discuss in public. A query from 'Dubius,' referring to Plenary Indulgences, arrived too late for inclusion in the present issue.

P. O'NEILL.

¹ Cf. Benedict XIV, Bull *Declarasti*, 1746; Ferreres, *Comp. Theol. Mor.*, ii. n. 489, where reference is made to a (particular) decree published in 1909.

CANON LAW

THE IMPLICATION OF 'PROPRII SACERDOTIS' IN CANON 859, § 1, OF 'CURET' IN CANON 859, § 3, AND OF 'INFIRMI' IN CANON 858, § 2

REV. DEAR SIR,—Would you kindly answer the following queries in an early issue of the I. E. RECORD:—

1°. To whom does *proprii sacerdotis* of Canon 859, § 1, refer? Is it to the parish priest or the confessor?

2°. Does Canon 859, § 3, impose a strict obligation on those who fulfil the paschal precept outside their own parish to see that their parish priest is informed of the fact? And, if so, is the obligation grave or venial?

3°. Does the phrase *Infirmi tamen qui jam a mense decumbunt* apply only to those who are ill in bed, or is it applicable also to those who, although not obliged to remain constantly in bed, are still so ill as to be unable to continue fasting for the reception of Holy Communion?

SACERDOS.

1°. The expression *proprii sacerdotis* is to be found also in the decree *Omnis utriusque* of the Fourth Lateran Council, the source of the Paschal obligation in pre-Code days. In virtue, therefore, of Canon 6, nn. 2 and 3, it must be explained in accordance with the interpretations of the Lateran legislation current amongst approved authors. The determination of the meaning of *proprius sacerdos* in the decree *Omnis utriusque* was not without its difficulties; to appreciate these fully it will help very considerably to have the full text of the law before us:

'*Omnis utriusque sexus fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata saltem semel in anno fideliter confiteatur proprio sacerdoti et injunctam sibi poenitentiam propriis viribus studeat adimplere, suscipiens reverenter ad minus in Pascha Eucharistiae Sacramentum, nisi forte de proprii sacerdotis consilio, ob aliquam rationabilem causam ad tempus ab hujusmodi perceptione duxerit abstinendum; alioquin et vivens ab ingressu Ecclesiae arceatur et moriens christiana careat sepultura.*'

It will be noticed that in this decree the two obligations of annual Confession and annual Communion are dealt with conjointly, and that the expression *proprius sacerdos* is used in connexion with both and clearly with the same meaning. Now, there is no doubt that according to the original signification of the decree the *proprius sacerdos* to whom annual confession was to be made was the parish priest, and, of course, also the Bishop, who has all the rights of a pastor in every parish of his diocese. This is evident in the first place, from the fact that *sacerdos proprius* was one of the terms by which a parish priest was at that time

designated. The word *parochus* is not found in early documents at all, and *parochia*, which is found, was originally applied to the diocese rather than the parish. The process by which *parochia* came to be transferred from the diocese to the parish, and by which the derivative term *parochus* came to be applied to the pastor of the latter, was a very gradual one, and was certainly not completed at the time of the Fourth Lateran Council. In fact, it was only after the Council of Trent that *parochus* became what it is at present—the practically exclusive designation of a parish priest.¹

That *sacerdos proprius* of the Lateran decree meant the parish priest follows also from the fact that, at the period in question, the faithful could be absolved in the sacrament of Penance only by their Bishop or their parish priest—of course, either the Bishop or the parish priest could delegate other priests to exercise sacramental jurisdiction over their subjects. Villein sums up very well the position in this matter at the time of the Lateran Council, in the following paragraph of his *History of the Commandments of the Church* ² :—

‘The annual confession which was to be made at least once a year—and which the particular constitutions fixed at Easter—was to be made by each of the faithful to his pastor, unless permission had been obtained from him to go to another priest.

‘There was no need to designate more definitely who was the proper priest, this had been done by the whole previous legislation. The judge of the penitential forum was primarily the Bishop and then the pastor of the parish. To give only a passing mention to the ancient text of synodal statutes, supposed to have been given to the church of Rheims by Sonnatius, which decrees very explicitly that no one but the pastor should hear the confession of penitents during Lent, we know from a variety of other sources how vigorously each pastor endeavoured not to abandon his jurisdiction, even in the slightest degree. Ayton of Basle, in his capitulary, recommends to the faithful who start on pilgrimages *ad limina* to go to confession in their parish church before leaving, because their Bishop or pastor alone has the right to absolve them.³ It is to the proper priest, *sacerdoti suo*, as we have seen, that the faithful laity, according to Chrodegang, must go to confession, the monks to the Bishop

¹ Cf. Wernz, *Jus. Decret.*, tom. ii. n. 821, n. 3: ‘At vox parochi, quae in jure canonico adhibere solet de curatore animarum, potius connexum est cum verbo *paroeciae*—olim territorium Episcopi—nunc dioecesim, quod corruptum est in vocabulum *parochiae*, cujus praefectus deinde audit *parochus*. Quare verbum *parochi* in antiquis fontibus non occurrit, imo nonnisi ex ultimis Sessionibus Conc. Trid. frequentius adhiberi coeptum est. In jure antiquo et etiam nunc complura alia nomina parochorum v.g. sacerdotum propriorum . . . usu sunt recepta.’ Cf. Bouix, *De Parocho*, p. 7 et seqq.

² Pp. 176 and 177.

³ ‘Et hoc omnibus fidelibus denuntiandum: ut qui causa orationes ad limina beatorum Apostolorum pergere cupiant, domi confiteantur peccata sua et sic proficiscantur: quia a proprio episcopo suo, aut sacerdote, ligandi aut exsolvendi sunt, non ab extraneo.’

or their prior.¹ No Bishop or pastor, according to Regino, was to admit to reconciliation a strange penitent without the consent of the latter's pastor.'²

The foundation of the Mendicant Orders and the many privileges which they obtained from the Holy See gave rise to the first infringement of this discipline. As early as 1260 the Council of Arles complained of the Penitentiaries who were sent to the towns and villages during Lent; and forbade them to hear the confessions of parishioners without the permission of their parish priest.³ From that period onward, for two or three centuries, a bitter struggle on this whole question was waged between the secular and regular clergy. Into its details it is quite unnecessary for us to enter; the following decree, issued by Pope Clement VIII, in 1592, brings us practically to the final stage of the controversy:—

'Praesenti decreto nostro sancimus, etc., dictis fratribus et presbyteris dictae Societatis, quam aliis privilegiatis praedictis, quibus id a Sede Apostolica indultum est, idoneis tamen et ab Ordinario approbatis, peccata sua etiam Quadragesimali, et Paschali, et quovis alio tempore confiteri licite posse, dummodo tamen iidem saeculares Christi fideles Sacramentum Eucharistiae die Festo Paschalis Resurrectionis in propria Parochia ab eorum Parocho sumant.'⁴

From the end of the sixteenth century to our time, it has been the recognized discipline that the faithful can make even their annual paschal confession to any approved confessor, and hence so far as this obligation is concerned the *proprius sacerdos* of the Lateran decree was considerably modified. Did a similar modification take place in regard to the *proprius sacerdos* in accordance with whose advice paschal communion might be delayed for a time? As an indication of the appropriateness of such a change, it may be pointed out that the confessor is the one in the best position to judge of the utility or otherwise of deferring paschal Communion, and that consequently, as soon as the parish priest ceased to be the exclusive confessor of his subjects, he should naturally cease also to be the exclusive judge in regard to the deferring of paschal Communion. Against this argumentation, however, it must be recalled that it remained necessary until the publication of the Code, to receive the Blessed Eucharist at Easter in one's own parish and from one's own pastor; and it seems a natural corollary to these aspects of the obligation that it is from one's own pastor also permission to defer the fulfilment of this precept should be received. These, however, are merely *a priori*

¹ *Regula Canoniorum*, c. xxxii.

² *De Eccles. disciplina*, l. i. c. 109.

³ Canon XVI: 'Inhibemus ne confessores hujusmodi qui mittuntur solummodo ad praedicta, per villas et parochias dioecesis discurrentes generalibus parochianorum confessionibus audiendis se occupent, nisi de mandato praelati et licentia curati, generalibus confessionibus audiendis se duxerint occupandos, sed eos ad proprios remittant sacerdotes, et casibus pro quibus mittuntur poenitentes absolvant.'

⁴ Cf. Benedictus XIV, *Inst.* xviii.

considerations : as a matter of fact, a modification has taken place. As far as we are aware, though, there has never been a formal controversy on this point ; modern commentators on the Lateran legislation simply give the extended interpretation of *proprius sacerdos* without referring to its original and more restricted meaning. It will suffice to refer to a couple of the greatest of present-day authorities, Gasparri and Many. The views of the former are contained in the following passage, taken from his treatise, *De Sanctissima Eucharistia*¹: 'From the Lateran canon it follows that the *proprius sacerdos* can extend this time . . . ; but by the *proprius sacerdos* is understood the Ordinary, the parish priest, as is evident from the reply of the Sacred Congregation of the Council already cited,² and also the confessor, hence the Ordinary can prolong this time even generally for the whole diocese ; a parish priest for the parish, but only in particular cases ; finally even a confessor for his penitents, but again only in particular cases.'

Many's testimony is practically to the same effect : 'By this *proprius sacerdos* is understood in this Chapter he who can absolve from sins, and hence, not only the Bishop and the parish priest, but also the confessor, because the title *proprius sacerdos*, in regard to the canon, *Omnis utriusque*, in the course of time, was attributed to the confessor also.'³

Whatever, then, about the original meaning of *proprius sacerdos* in reference to the obligation of paschal Communion, imposed by the Lateran decree, at the time of the publication of the Code and for a long period previously, it was applicable to the Bishop, parish priest and confessor ; and clearly the two former could permit the reception of the Blessed Eucharist to be deferred even apart from confession ; otherwise the distinction between them and the confessor would have no meaning. When paschal Communion was delayed, on the advice of the confessor, commentators made no mention of an obligation to inform the parish priest ; and hence it must be concluded that such an obligation did not exist. We have always thought this rather strange. One of the reasons for insisting on the reception of the Blessed Eucharist in the parish church and from the pastor was to give the latter an opportunity of knowing whether the members of his flock had fulfilled this obligation ; and this purpose was to some extent frustrated by the permission to defer the obligation on the advice of a confessor without any reference to the pastor.

From what has been said, it is quite clear, therefore, that *proprius sacerdos* in Canon 859, § 1, includes the Bishop, parish priest, and confessor. Even apart from any reference to the past, the expression itself forms a very good indication that it does not refer exclusively

¹ Vol. ii. n. 1156.

² This reply is invoked by Gasparri on the authority of Ferraris, who refers to it as follows : 'Potest tamen tempus paschale extendi in longius tempus ex episcopi aut parochi dispensatione rationabili ; Sacra Congregat. Conciliorum 19 Novembris 1616 et in citato capit. *Omnis utriusque*' (*Bibliotheca*, ad verbum *Eucharistia*, n. 10).

³ *De Missa*, n. 163.

to either the parish priest or the confessor ; if such exclusiveness were intended the natural wording would have been either *proprius parochus* or *confessarius*. The Bishop and the parish priest, just as in the past, may permit paschal Communion to be deferred, even apart from confession ; and when it is deferred on the advice of a confessor there seems to be no obligation of informing the parish priest.

2°. In our opinion, Canon 859, § 3, imposes a strict obligation on those who fulfil the paschal precept outside their own parish to see that their parish priest is informed of this fact : this is the natural implication of *curent*, the subjunctive imperative.

In confirmation of this we may refer to the use of *curet* in Canon 805 : 'Sacerdotes omnes obligatione tenentur Sacrum litandi pluries per annum, *curet* autem Episcopus vel Superior religiosus ut iidem saltem singulis diebus dominicis aliisque festis de praecepto divinis operentur.' Now, the Council of Trent used *curet* in the self-same connexion, and Benedict XIV, in the Constitution *Declarasti*, stated authoritatively that it imposed a strict obligation.¹ Accordingly, it imposes a strict obligation in Canon 805 also.

The use of *suadendum* in the sentence immediately preceding leads to the same conclusion. Were it intended merely to advise, not to oblige, those who satisfied the obligation outside their parish to see that their parish priest was informed of the fact, one would naturally expect that *suadendum* would be again employed.

Whilst we feel convinced that an obligation is imposed by *curet* in this canon, we think, however, that it is a light one. The matter, it seems to us, is not sufficiently serious for a grave obligation ; and, moreover, it is the evident purpose of the law to mitigate the accidental aspects of the paschal precept.

These are our views on this matter. We think it right, however, to add that some of the commentators whom we consulted hold differently. Thus Damen states that : 'The giving of this information does not seem to be imposed after the manner of a strict precept' ;² and Ferreres declares that : 'This last obligation either does not exceed the limits of a counsel or at most is a *sub levi*.'³

3°. The decree upon which Canon 858, § 2, is modelled was promulgated in December, 1906, by the Congregation of the Council, and in March of the following year the same Congregation declared that the phrase, *Infirmi qui jam a mense decumbunt*, includes not only those who are obliged by sickness to remain in bed, but also others who are seriously ill and are considered by their physician incapable of fasting, even though they are unable to remain in bed or can rise from it for a few hours each day.⁴ In virtue of Canon 6, n. 3, the phrase must be given the same meaning in Canon 858, § 2.

¹ Const. *Declarasti*, § *Minus* : 'Curet, praeceptum inferre in hac gravissima causa, non est dubitandum.'

² Aertnys' *Theologia Moralís* (new edition by Damen), vol. i. n. 1071.

³ *Theol. Mor.*, vol. i. 590.

⁴ 'Proposito in S. Congregatione dubio—an nomine infirmorum qui a mense decumbunt, et ideo juxta decretum diei 7 decembris 1906 S. Euchar-

THE ANTI-MODERNIST REGULATIONS

REV. DEAR SIR,—In the diocese to which I belong the oath against Modernism is still administered to new confessors, new parish priests, and on the other occasions on which it was necessary before the publication of the new Code. I have been puzzled to know whether this is really necessary or not. There is no law in the Code which requires it; and consequently, according to Canon 6, the old regulations regarding Modernism would seem to be no longer binding. Would you kindly discuss the matter in the I. E. RECORD.

PUZZLED.

Were the solution of this question to be sought from the Code alone apart from any subsequent decisions, our correspondent's conclusion would seem reasonable enough. Canon 6, n. 6, states that disciplinary laws which were hitherto binding, and which are neither explicitly nor implicitly contained in the Code, are no longer in force; the regulations regarding Modernism seem to be the laws of this kind; and consequently, so far as the Code is concerned, they would seem to be no longer binding. There is, however, a decision which directly contradicts this position: in March, 1918, the Congregation of the Holy Office declared that the prescriptions against Modernism still remain in force. On account of its important implication we shall give the reply in its original form:—

‘*Praescriptiones praedictas, ob serpentes in praesenti modernisticos errores latas, natura quidem sua, temporarias esse ac transitorias, ideoque in Codicem juris Canonici referri non potuisse; aliunde tamen, cum virus Modernismi diffundi minime cessaverit, eas in pleno suo robore manere debere usquedum hac super re Apostolica Sedes aliter statuerit.*’¹

Not only, therefore, do these regulations continue in force, but the decision indicates pretty clearly that, notwithstanding Canon 6, n. 6, they were unaffected by the publication of the Code. Having been made to meet a passing need they are of their nature temporary, and hence are not to be regarded as general laws in the strict sense; they could not, therefore, be taken account of by the Code, which is concerned with permanent legislation, and they are not abrogated by Canon 6, n. 6.

Similar reasoning was adopted by the Congregation for Religious, which, in July, 1919, declared that the decree regarding military service, of which there is no mention in the Code, was still obligatory. The

stiam non jejune sumere possunt, intelligantur solummodo infirmi qui in lecto decumbunt an potius comprehendantur quoque qui, quamvis gravi morbo correpti et ex medici judicio naturale jejunium servare non valentes, nihilo minus in lecto decumbere non possunt, aut ex eo aliquibus horis diei surgere queunt. Eadem S. Congregatio die 6 martii 1907 respondendum censuit. Comprehendi, facto verbo cum SSmo. ad cautelam.’

¹ A. A. *Sedis*, 1918, p. 136.

following sentence expresses even more explicitly the idea which underlay the decision of the Holy Office :—

‘Haec autem S. Congregatio, attente negotii gravitate animadvertendum censet in Codice Juris Canonici nullam haberi potuisse rationem praefati Decreti *Inter reliquas*, nec ejusdem praescripta Canonibus inserta fuisse, cum idem Decretum, natura sua, ad circumstantias temporum et locorum habeat rationem, nec generalis legis ecclesiasticae rationem induere possit.’¹

The Congregation of the Council, too, in January, 1920, when dealing with the question as to whether clerics were forbidden to wear their beards, gave its approval to the principle upon which the decisions just mentioned were based.²

The declaration of the Holy Office contains an adequate reply to our correspondent's query. We drew attention to those other decisions merely to show that the argument underlying it has found general acceptance in the Roman Curia, and that other general regulations of a temporary character, even though they are not contained in the Code, are still in force, notwithstanding the abrogating force of Canon 6, n. 6.

CENTENNIAL AND IMMEMORIAL CUSTOMS CONTRARY TO THE CANONS OF THE CODE. THE MEANING OF ‘ACQUIRED RIGHTS’

REV. DEAR SIR,—1°. Canon 5 states that Ordinaries can tolerate centennial or immemorial customs if, considering the circumstances, they consider it imprudent to suppress. What if an Ordinary takes no action in regard to a particular immemorial custom? Does the custom still continue and may priests act accordingly?

2°. Would you kindly explain what precisely is meant by *jura aliis quaesita* of Canon 4?

INQUIRER.

1°. From the wording of Canon 5 we are of opinion that centennial and immemorial customs opposed to canons which do not contain a reprobating clause remain in force until they are removed by Ordinaries. Inaction on the part of the latter must, therefore, be construed into toleration; and priests or others may act accordingly. The clear intention of this canon, of course, is to have such customs suppressed, when possible; it is only in exceptional circumstances, to prevent inconveniences more or less serious, that this toleration is permissible.

2°. An acquired right (*jus quaesitum*) is a right which is obtained through the actual utilization of the fitness or capacity which is conferred or recognised by law; it is, therefore, in its acquisition, dependent on some past fact, and is distinguished from a right to be acquired (*jus quaerendum*), which is simply the fitness or capacity to do or acquire

¹ A. A. *Sedis*, 1919, pp. 321 and 322.

² *Ibid.* 1920, p. 144.

something conferred or recognized by law.¹ An example will best illustrate the difference between the two. One who has the necessary qualifications for a parish priest, but who has not yet secured an appointment, has a *jus quaerendum* to a parish; an actual parish priest has a *jus quaesitum* to his parish.

According to Canon 4, acquired rights, even though they were acquired in a manner which is no longer admissible, are not interfered with by the canons of the Code, unless any of them contains an express statement to the contrary. Thus, if a deacon were appointed to a parish, on the day before Pentecost, 1918, his right to the parish remained unaffected, even though, on the following day, he would have been quite incapable of receiving such an appointment. *Jura quaerenda*, in the sense explained above, are, however, taken away without express mention. To continue the example just given, a deacon, from the viewpoint of Orders, has no longer the fitness requisite for appointment to a parish.

Acquired rights are not affected without an express statement to the contrary. An example of such a statement is to be found in Canon 460, § 2: according to a recent decision of the Commission for interpreting the Code, the paragraph applies, not only to parishes which are to be erected in the future, but also to those which are already erected and in which there is actually a plurality of parish priests, and deprives the latter of their acquired rights, both spiritual and temporal.²

J. KINANE.

¹ Cf. *A. A. Sedis*, Sept., 1919, p. 351. The official comments on a case submitted for decision to the Congregation of the Council deal with the nature of a *jus quaesitum*. The following passage contains the essential part of the discussion: 'Praeterea, can. 4 de non sublati per Codicem juribus quaesitis, in eo habet fundamentum, quod lex, per se non agit retrorsum, seu non habet vim retroactivam ut dici solet, quum 'respiciat futura, non praeterita' prouti habet can. 10. Id tamen non significat generatim legem non posse in futurum suppressere jus quod quis habet dum illa promulgatur, sed tantum non posse eam tollere in futurum jus quod quis, dum lex promulgatur, habet *dependenter a facto praeterito*, dum bene potest tale jus tollere in futurum, si sit *independens* ab aliquo facto praeterito.' Cf. etiam D'Annibale, *Summula Th. Mor.*, vol. i. n. 314.

² *A. A. Sedis*, August, 1922, p. 527.

LITURGY

SOME RECENT DECREES OF THE SACRED CONGREGATION

IV

ADDITIONS TO BE INSERTED IN THE ROMAN RITUAL

By a decree, dated June 11, 1913, the latest typical edition of the Ritual was approved by the Sacred Congregation. Since then we have had the publication of the New Code of Canon Law, which, though not expressly dealing with matters liturgical, necessitates ¹ corrections in certain rubrics of the Ritual which do not happen to harmonize with the prescriptions of the Code, and there have been many new decrees of the Congregation of Rites implying additions and changes of more or less importance in the rubrics concerned with the administration of the Sacraments. An up-to-date edition of the Ritual, therefore, which would take cognisance of all the changes and additions would seem to be called for. In the last issue ² of the I. E. RECORD we published a decree of the Sacred Congregation ordering certain additions to be made in all future editions of the Ritual. These additions are all concerned with Title V, and have references respectively (1) to the Sacrament of Extreme Unction, (2) the Rite of the Apostolic Blessing *in articulo mortis*, and (3) the Prayers for the Dying.

(1.) The most important of these is the addition of a new rubric (n. 21) prescribing the mode of procedure when the Sacrament of Extreme Unction has to be administered to several people at the same time. Heretofore there was no provision in the Ritual for such a contingency, and liturgical writers were not quite agreed as to how far the several prayers might be said in common for all. The convenience of being able to do so in time of pestilence or a prevalent epidemic is manifest, and even apart from cases of urgency, as for example in a hospital, the question could frequently arise as to how far it was lawful to recite any of the prayers or perform any of the ceremonies for all together, as is regularly done in administering the Sacraments of Baptism, Matrimony, and Holy Orders. The new rubric definitely settles the matter and there is no longer any room for doubt or anxiety. Having presented the crucifix to be kissed by each, and sprinkled the Holy Water,³ the priest addresses the exhortation and recites the three preliminary prayers, beginning with '*Adjutorium nostrum*,' etc., for all in common. As is plain from reading them these Prayers require no change of number. The '*Confiteor*' is then said by or for all together, the priest recites

¹ Can. 2.

² November, p. 546.

³ O'Kane is of opinion that for greater convenience the Holy Water might be sprinkled before presenting the crucifix. Cf. p. 461, *Rubrics of the Roman Ritual*.

'*Misereatur vestri*,' etc., and gives notice to those present to pray while he administers the Sacrament. Then he recites over all the Prayer '*In Nomine*,' etc., which, in accordance with the new rubric, is to be read as follows: '*In nomine Patris ✠ et Filii ✠ et Spiritus ✠ Sancti, exstinguatur in vobis omnis virtus diaboli per impositionem manuum nostrarum, et per invocationem gloriosae et sanctae Dei Genetricis Virginis Mariae ejusque inclyti Sponsi Joseph, et omnium sanctorum*,' etc. The unctions are then applied to each, individually, after which the priest washes his hands and recites the Versicles and Prayers to the end for all in common, taking care to make the necessary changes in number—and in gender, too, if all happen to be females. The priest who is liable to be called to administer the Sacrament in this way will do well to have the prescribed changes noted on the margin of his Ritual.

(2.) Before the publication of the New Code special delegation was necessary in order that a priest might validly give the Blessing *in articulo mortis*. The Code (Can. 468) states expressly that any priest called to assist the dying may and ought to give it. The proper form and rubrics of the Blessing are given in the Ritual, and are to be strictly adhered to. In ordinary cases the full form is to be employed, but when death is imminent and there is a danger that there may not be time to complete the form, it was generally held that in accordance with a rubric of the Breviary, confirmed by a decree¹ of the Sacred Congregation dated March 8, 1879, a short form beginning with the words, '*Dominus noster*' should be employed. The first part of the new rubric is an incorporation of the rubric of the Breviary in identical words, so that henceforth the matter is placed beyond the shadow of a doubt. The rubric of the Breviary² gave also a short form to be used when the person was at the point of death ('*si mors proxime urgeat*'); the new rubric also provides for this case, but in slightly different terms. The revised form is more extensive and reads as follows: '*Ego facultate mihi ab Apostolica Sede tributa, indulgentiam plenariam et remissionem omnium peccatorum tibi concedo. In nomine Patris ✠ et Filii et Spiritus Sancti. Amen.*' '*Per Sacrosancta*,' etc., ut supra; '*Benedicat te*,' etc., ut supra. In addition, the new rubric provides for a case of urgent necessity ('*in casu necessitatis*'), when it suffices to say: '*Ego, facultate mihi ab Apostolica Sede tributa, indulgentiam plenariam et remissionem omnium peccatorum tibi concedo, et benedico te. In nomine Patris ✠ et Filii et Spiritus Sancti. Amen.*'

The Congregation of Indulgences, in reply to a query dated June 10, 1884, decided that this Blessing might be given to a number together, but that the Prayer '*Dominus Noster*,' etc., should be said for each individually. The instruction is now inserted in the Ritual in the form of a special rubric (n. 5) and there is no longer any prescription regarding the repetition of the Prayer '*Dominus Noster*,' etc. The rubric now reads: '*omnia dicantur semel ut supra, singulari tantum numero in pluralem immutato.*' We take it that the words '*omnia dicantur semel*

¹ Decr. 3483.

² See the rubric of the Breviary.

ut supra’ include all the Prayers of the Blessing, though from the position of the rubric (n. 5), the words ‘*ut supra*’ are somewhat ambiguous.

(3.) The addition to the Prayers for the Dying (*Ordo Commendationis Animae et in Expiratione*) consists of an invocation, a Prayer, and certain ejaculatory Prayers to St. Joseph, the Patron of a happy death. It is ordered in the decree that all future editions of the Ritual shall have these additions inserted and we take it that the publication of them in the *Acta Apostolica Sedis* suffices for their promulgation and that they are now obligatory throughout the Church.

V

THE CHANTS OF THE PREFACE, ‘GLORIA,’ AND ‘CREDO’ OF THE NEW MISSAL

At page 649 of the current issue we give a decree referring to this matter which, though it has not been published in the *Acta Apostolicae Sedis*, appears with episcopal approval in a recent edition of the Ratisbon Missal, and also in the *Ephemerides Liturgicae*,¹ so that of its authenticity we have no doubt. The question proposed to the Sacred Congregation was whether the chants of the Preface, *Gloria*, and *Credo* of the new Missal are to be so strictly adhered to that the ‘*Cantus ad libitum*’ at the end of the older Missals (which included three intonations of the *Gloria* and chants of the several Prefaces in a more solemn tone), and the various tones of the *Gloria*, *Credo*, *Ite Missa est*, which appeared in the body of the Missal, must be regarded as obsolete and be discontinued. The doubt arose owing to the absence of these several chants from the new Missal and the insertion of the Rubric (Tit. x. n. 2): ‘*In qualibet Missa cantus servatur qui suo ritui conveniat.*’ The reply of the Sacred Congregation is that the older chants may still be sung and may be inserted in the Appendices of new editions of the Missal as ‘*Cantus ad libitum.*’ We presume the same applies to the variants in the recent editions of the *Graduale Romanum*.

VI

RINGING OF THE BELL AT SOLEMN AND SUNG MASSES

In the *Ritus Servandus in Celebratione Missae* (Tit. vii. n. 8 and Tit. viii. n. 6) it is prescribed that the bell be rung at the *Sanctus* and at the Elevation of a Low Mass. For the *Sanctus* the rubric is: ‘*ministro interim parvam campanulam pulsante*’; and for the Elevation: ‘*et manu dextera pulsat campanulam ter ad unamque elevationem vel continue.*’ The usual custom, which is also recommended by most authors, is to ring the bell three times at the *Sanctus* and three separate times for the Elevation of the Host and the Chalice. There is no authority in the Missal for ringing the bell at the *Hanc Igitur* and the *Domine non sum dignus*, but the custom prevails in many places and authors generally sanction the continuance of it wherever it exists. By a decree dated

¹ January, 1922.

May 14, 1856 (which, however, does not appear in the latest collection of the *Decreta Authentica*) the Sacred Congregation tolerated the ringing of the bell at the *Domine non sum dignus* wherever the custom prevailed. But neither the rubrics of the Missal nor of the *Cerem. Episcoporum* (lib. ii. cap. viii.) refer to the ringing of the bell at Solemn or sung Masses, and the result is that custom in this respect has varied in different places. There has been also a diversity of opinion in regard to the point amongst rubrical authorities, some allowing an option in the matter, others stating that the ceremonies and chant of the High Mass render the bell superfluous, others contending that, as neither the Missal nor the *Ceremoniale*, which describe everything so accurately, refer to it, and as the custom in the Roman churches is against it, the bell should not be rung. The authoritative decree of the Sacred Congregation which we publish in this number (p. 643) prescribing the ringing of the bell at Solemn and sung Masses just as at Low Mass, places the matter beyond further dispute, and should make for uniformity of practice throughout the Church. The decree states that even though the Missal and *Ceremoniale* are silent about the point, there is no argument to be drawn therefrom, for the reason and significance of the ringing of the bell apply equally to all Masses, i.e., 'Christifidelium attentio, laetitia, devotio, fidei Catholicae professio in veram ac realem Christi praesentiam in SS^ma Eucharistia, eorumque associatio angelicis choris ad laudandum Deum et adorandum.' It states, moreover, that no contrary custom should be allowed to prevail against the rubric, as now enunciated, unless there be some equally effective means of arousing the attention of the faithful to the more solemn actions of the Mass, and that it is advisable also that the bell should be rung shortly before the Consecration.

In connexion with this decree it may be well to advert to a few other points bearing on the subject of the Mass-bell prescribed by the rubrics.

(1) The rubrics of the Missal and the *Ceremoniale* speak of a 'little bell' (*parva campanula, tintinnabulum*), so that a substitute in the form of a gong cannot be regarded as strictly rubrical. In 1898 the Archbishop of Mexico asked the Sacred Congregation whether an Oriental cymbal, '*ad modum catini semi-pendentis ab hasta lignea*' (like a dish hanging on a wooden staff) and struck by an acolyte, could be used as a substitute for a bell, and the reply¹ was: 'Negative, seu non convenire.' Van der Stappen and others take this prohibition or disapproval as applying to the gong sometimes used for the Mass in those countries, because of the similarity of construction and manner of sounding, but we do not think, from the description given of this Indian cymbal, that the similarity is such as to warrant the conclusion that the Sacred Congregation has registered thereby its disapproval of the so-called gong used in the Mass in this country. The use of it, however, receives no sanction from the rubrics, but an established custom may justify its continuance. There is no prohibition against the multiple bell (*carillon*).

¹ Deccr. 4000³.

(2) From the *Gloria* of the Mass on Holy Thursday (after the intonation of which the bell may be rung) to the *Gloria* of the Mass on Holy Saturday, the bell is not rung. A wooden instrument, called a clapper or rattle, is usually substituted for it, and is used whenever the bell would be rung. Neither the Missal nor the *Ceremoniale* make mention of this instrument (*crotalus*), but the *Mem. Rituum* requires it, and authors generally prescribe its use. The origin of the custom of silencing all bells during these days is given by Benedict XIV. He says that the bells typify the preachers of the word of God, and as all preaching was precluded during the trial and passion of our Divine Lord, so all the bells were stilled.

(3) The bell is not rung¹ during the Exposition of the Blessed Sacrament, unless Mass is celebrated at the altar of Exposition; neither is it rung during the recitation of the Divine Office in choir if the Mass is celebrated at an altar within view of the choir.² Again, it should not be rung at private Masses during the time of public supplications or processions in the church, nor for a similar reason should it be rung at Masses on side-altars while general Communion is taking place from the high altar.³

QUERIES REGARDING THE RUBRICS OF A REQUIEM OFFICE AND MASS

REV. DEAR SIR,—You will oblige a number of subscribers by answering the following queries in the next issue of the I. E. RECORD:—

I. What place relative to the rest of the choir should be occupied by the Officiant during the chanting of an Office for the Dead?

II. Should the Officiant wear a black stole from the beginning to the end of such a function?

III. When only one Nocturn is chanted on such an occasion, is it correct to double the Antiphon before each psalm?

IV. Who should put incense into the thurible for the Consecration in a solemn Requiem Mass?

C.C.

I. At a solemn Office for the Dead the place of the celebrant or officiant is the first seat or stall on the Gospel side ('primum a parte Evangelii chori subsellium').

II. He should wear a black cope or stole from the beginning to the end of the function. If it is a funeral office, or an office on one of the privileged days, he may wear black stole and cope.⁴

III. The rubric of the Ritual (tit. vi. cap. 4) is as follows: 'In die depositionis, in die post acceptum mortis nuntium, et tertio, septimo, trigesimo et anniversario, etiam late sumpto, et quoties solemniter celebratur Officium, duplicentur antiphonae'; and the rubric of the

¹ Decr. 3157¹⁰, 3448².

² Decr. 3814.

³ Ibid.

⁴ Decr. 3029, ad 5, 6, 8.

Breviary is in practically the same terms. The Antiphons, therefore, are doubled on all the privileged days, whether the Office is recited with one or three Nocturns. They are also doubled according to the rubric whenever the Office is celebrated *solemnly*, whether with one or three Nocturns. It is not easy to define the word 'solemnly' in this connexion and authors that we have consulted interpret it differently. The *Ephemerides Liturgicae*¹ take it as equivalent to the words 'with solemn rite,' viz., with officiant presiding in surplice and cope (or stole) and in presence of a concourse of people. This would apply to Offices recited in presence of the corpse on days other than the funeral day or to other days throughout the year when a *Missa Quotidiana* is permitted and the friends of a deceased ask for a Requiem Office and Mass. The Office (whether of one or three Nocturns) on such an occasion may be celebrated *solemnly*, so that the Antiphons of the Psalms are doubled, and *one* prayer only is sung in the Mass.

IV. The Master of Ceremonies or the Thurifer. It is customary in this country, and we think altogether it is more convenient, to have it done by the Master of Ceremonies.

M. EATON.

¹ November, 1921, p. 428.

DOCUMENTS

THE RINGING OF THE BELL DURING A SOLEMN OR SUNG MASS

(October 25, 1922)

SACRA CONGREGATIO RITUUM ROMANA

CIRCA CAMPANULAM PULSANDAM IN CELEBRATIONE MISSAE

Occasionem nacti Congressus Eucharistici Internationalis hoc anno Romae habiti et prospero felicitque progressu probati, quidam Sacrorum Antistites alique viri dignitate ac pietate conspicui, ad decorem divini cultus erga ipsum ineffabile Eucharistiae mysterium, etiam per uniformitatem ritus et aedificationem christifidelium, provehendum, Sacram Rituum Congregationem adierunt, reverenter postulantes :

‘Utrum Rubricae quae in *Ritu celebrandi Missae*, tit. VII, n. 8, et tit. VIII, n. 6, praescribunt ministro pulsare campanulam ad *Sanctus* et ad *elevationem Hostiae et Calicis*, post consecrationem, applicandae sint etiam ad Missas solemnes seu cantatas et pontificales, de quibus tamen circa campanulam pulsandam *Missale Romanum* in citatis titulis et *Caeremoniale Episcoporum*, lib. II, cap. 8, silent ? ’

Et Sacra eadem Congregatio, audito specialis Commissionis suffragio, quibusdam casibus a communi regula iam exceptis per decreta edita nn. 3157, *Mechlinien.*, ad 10 (5 septembris 1867), 3448, *Societatis Iesu*, ad 2 (11 maii 1878) et 3814, *Dubiorum* (21 novembris 1893), inspecta praxi communi et antiqua, perpensis rationibus quae in casu aequae militant pro Missis privatis et aliis solemnioribus; nempe: Christifidelium attentio, laetitia, devotio, fidei catholicae professio in veram ac realem Iesu Christi praesentiam in SS^{ma} Eucharistia, eorumque consociatio angelicis choris ad laudandum Deum et adorandum; quum neque obstat praenotatum silentium, quod, sicut in aliis caeremoniis, suppletur in casu per expressas Rubricas quae non distinguunt inter Missas privatas et Missas solemniores, neque has excludunt, proposito dubio ita respondendum censuit: *Affirmative, et ad mentem.*

Mens autem est: ‘Si usus, ex toto vel ex parte contrarius, in aliqua ecclesia Conlegiata, Cathedrali et Patriarchali, aliisque ecclesiis seu oratoriis hucusque viguerit, eadem ecclesia seu oratorium, amodo se conformet communi praxi et enuntiatae Rubricarum interpretationi; nisi, loco campanulae, alterum et congruum signum adhibeat. Insuper ad removendum, quantum fieri potest, inconveniens quo aliqui de longinquo vel de propinquo in templo sistunt sine attentione ac reverentia

etiam ad praecipuas divinatorum mysteriorum actiones, maxime expedit, ut paulo ante consecrationem aliquod campanulae detur signum, iuxta communem ecclesiarum praxim.'

Quam resolutionem et mentem Sanctissimo Domino nostro Pio Papae XI, per infrascriptum Cardinalem Sacrae Rituum Congregationis Praefectum, relatas, Sanctitas Sua ratas habuit, approbavit et servari mandavit. Die 25 octobris 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, Secretarius.

CERTAIN RUBRICAL DOUBTS ARISING IN THE COMPILATION OF AN ECCLESIASTICAL CALENDAR SOLVED BY THE CONGREGATION OF RITES

(June 16, 1922)

SACRA CONGREGATIO RITUUM

HILDESIEN.

DUBIA VARIA

Sacerdos Iosephus Machers, qui pro dioecesi Hildesiensi *Directorium ecclesiasticum* componere debet, de consensu sui Rm̃i Episcopi, sequentia dubia, pro benigna responsione, Sacrorum Rituum Congregationi humiliter subiecit; nimirum:

A) De Festo Patroni principalis eiusque Octava

I. Si Missa Patroni principalis vel saltem Evangelium non est determinatum, licetne diebus infra Octavam necnon in die Octava (secundum Rubricas novi Missalis ante Commune unius Martyris et ante Missas votivas ad diversa positas) aliam Missam vel aliud Evangelium ex eodem Communi sumere atque in die Festi, an Missam vel Evangelium pro Festo electum per totam Octavam legere oportet?

II. Et si *affirmative* ad primam partem, licetne in casu etiam Lectiones trium Nocturnorum Officii ad libitum ex Lectionibus diversis eiusdem Communis eligere, observata tantum regula, quod Missae et Officii Evangelium idem esse debet?

B) De Feriis Rogationum

III. In Missa Rogationum, si ad Processionem celebratur in ecclesia, ubi etiam Missa de die, sine cantu celebratur, utrum Commemorationes speciales fieri debent an non?

C) De Missis defunctorum

IV. Si Missa celebratur pro defuncto nondum sepulto, cum vel sine cantu, diebus quibus Missas quotidianas pro defunctis in cantu resp. sine cantu celebrare licet, utrum in omnibus ecclesiis et oratoriis Missa pro die obitus cum unica Oratione uti oportet?

V. Et si *affirmative*, licetne hanc Missam etiam post sepulturam celebrare, si Missa exequalis rationabilem ob causam celebrata nondum est?

VI. Diebus ut supra liberis licetne plures Missas, de die III, VII, XXX, opportuniore post acceptum nuntium, anniversaria, etiam late sumpta, celebrare, an unam tantum?

VII. Missa cantata in anniversariis, quae extra diem obitus ex fundatione, celebratur, vel quae pro omnibus defunctis alicuius coetus semel quolibet anno habetur, utrum eo tantum casu gaudet privilegio, quo certa dies in fundatione vel ex consuetudine coetus est determinata, an etiam, quo dies ad libitum celebrantis vel coetus eligitur?

D) De solemnitatibus Festorum Motu proprio Abhinc duos annos in Dominicas translatis

VIII. Missa de solemnitate, ex Decreto generali S. R. C. super Motu proprio *Abhinc duos annos* in Dominicam translata, num a parocho pro populo applicari potest, secundum *Additiones et variationes in Rubricis Missalis*, II, n. 11, an non?

IX. In dicta Missa, si est de Festo duplici I classis, num Commemorationes omnes sunt faciendae, quae fierent, si Festum in Dominica occurreret (secundum Decretum generale S. R. C. super Motu proprio dicto), an illae tantum, quae fiunt in Missa votiva solemnipro re gravi et publica simul causa (cfr. *Add. et variat.*, V, 3.)

X. In dicta Missa, de ritu duplici I sive II classis, num Symbolum est dicendum, etiamsi Missa Festi per se Symbolo caret nec Commemoratio Dominicae alteriusque Officii, quod Symbolum requirit, facienda est, an omittitur?

XI. Praefatio in dicta Missa, si Praefatio propria deest ac Missa sine Commemoratione diei celebratur, estne communis?

E) De Missa in honorem Ss̃ni Cordis Iesu prima Feria VI mensis celebranda

XII. Si dicta Feria VI inciderit in die, qua de Festo Christi Domini fiat Officium aut Commemoratio aut occurrat Vigilia aut dies infra Octavam, quamvis Simplicem, loco Missae de Ss̃no Corde, num semper Missa de Festo aut de Vigilia aut de Octava celebranda est, excepto casu, quo occurrat Festum duplex I classis vel Commemoratio Omnium Fidelium Defunctorum?

XIII. Et si *affirmative*, num ista Missa admittit Commemorationes tantum de duplici secundae classis et de Feria maiore?

XIV. Si dicta Feria VI inciderit in Festo duplici I classis, quod non est Christi Domini, num in Missa loco dictae Missae de Ss̃no Corde alias celebrandae, Oratio de Ss̃no Corde sub una conclusione cum prima addi potest? (cfr. *Add. et variat.*, II, 3) et num in casu Commemorationes praeter supradictas omittuntur?

XV. Si dicta Feria VI inciderit infra Octavam Pentecostes, in Missa de die, loco Missae de Ss̃no Corde alias celebrandae, estne dicenda una tantum Oratio?

F) De Evangeliiis in fine Missae

XVI. Evangelium, quod in certis Festis B. M. V. sumitur de Comuni Festorum B. M. V. estne Evangelium stricte proprium an non?

XVII. Evangelia, quae dicuntur in Festis Angelorum, S. Pauli Apostoli, SS. Simonis et Iudae Apostolorum, SS. Marci et Lucae Evangelistarum, S. Stephani Protomartyris suntne stricte propria?

XVIII. Evangelium de Octava SS. Petri et Pauli Apostolorum, sub die 3 et 4 mensis iulii notatum, estne stricte proprium? Et si *affirmative*, rectene sic proceditur: Si die 4 mensis iulii Officium est de Octava, in Officio de Festo resp. Dominica, quod die 3 mensis iulii fiet, ultimum Evangelium non legitur de Octava, sin autem utraque die Commemoratio tantum fit de Octava, die priori Evangelium de Octava legitur in fine, die vero posteriori non?

Et Sacra Rituum Congregatio, audito specialis Commissionis suffragio, omnibus perpensis, propositis dubiis ita respondendum censuit:

Ad I. *Negative* ad primam partem, *affirmative* ad secundam partem.

Ad II. Quoad Lectiones III Nocturni, provisum in primo. Quoad alias Lectiones, *affirmative*.

Ad III. *Affirmative*, nisi Missa lecta de die fuerit Conventualis.

Ad IV. *Affirmative*.

Ad V. *Negative*.

Ad VI. *Affirmative* ad I partem, *negative* ad II partem.

Ad VII. *Negative* ad I partem, *affirmative* ad II partem.

Ad VIII. *Negative*, nisi agatur de Missis comprehensis etiam in novis Rubricis Missalis Romani, tit. IV.

Ad IX et X. *Negative* ad I partem, *affirmative* ad II partem.

Ad XI et XII. *Affirmative*.

Ad XIII. Serventur novae Rubricae Missalis Romani, tit. V, n. III et IV.

Ad XIV. Serventur novae Rubricae Missalis Romani, tit. V, n. III et IV, quoad Missas votivas solemnes pro re gravi et publica simul causa.

Ad XV. *Affirmative* ratione Commemorationis Missae de Ss^{mo} Corde Iesu, admissis tamen, si quae sint, collectis imperatis pro re gravi.

Ad XVI et XVII. Provisum per Decretum de Evangeliiis in fine Missae legendis diei 29 aprilis 1922 (*Acta Ap. Sedis*, p. 356 et seq.).

Ad XVIII. *Affirmative*, et legatur ipsum Evangelium prima die qua fiet Octavae commemoratio, etsi dein persolvendum sit Officium eiusdem Octavae.

Atque ita rescripsit ac declaravit die 16 iunii 1922.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

ALEXANDER VERDE, *Secretarius*.

L. ✠ S

DECISION REGARDING A CUSTOM OF DISTRIBUTING THE SACRED ASHES ON THE SUNDAY FOLLOWING ASH WEDNESDAY

(June 30, 1922)

AQUEN.

DE CINERIBUS BENEDICTIS IMPONENDIS EXTRA FERIAM IV CINERUM

Revñus Archiepiscopus Aqven. Sacrae Rituum Congregationi ea quae sequuntur reverenter exposuit nimirum :

Abhinc a multis annis in archidioecesi Aquensi viget consuetudo, in nonnullis sive piarum domorum sive paroeciarum ecclesiis, imponendi fidelibus, prima Dominica quadragesimali, cineres praecedenti Feria IV Cinerum benedictos. Sic enim omnes fideles facilius recipiunt cineres, potius die dominicali quam feriali ecclesiam adeuntes ; quaeritur :

Potestne permitti talis usus ?

Sacra Rituum Congregatio, exquisito specialis Commissionis voto atque attentis expositis peculiaribus adiunctis, respondendum censuit : *Ad mentem.* Die 30 iunii 1922.

Mens est : *Affirmative* in casu ; dummodo Feria IV Cinerum ritus benedictionis et impositionis cinerum expletus fuerit, iuxta Missale Romanum et Dominica prima in Quadragesima post expletam Missam aut extra Missam fiat impositio eorundem cinerum.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, *Secretarius.*

APOSTOLIC LETTER TO HIS EMINENCE CARDINAL BOURNE ON THE OCCASION OF THE MISSIONARY CONFERENCE RECENTLY HELD IN LONDON

(September 17, 1922)

AD EñUM P. D. FRANCISCUM, TIT. SANCTAE PUDENTIANAE, S. R. E. CARD. BOURNE, ARCHIEPISCOPUM WESTMONASTERIENSEM : DE COETU MISSIONALI CONVOCATO AD COMMÉMORANDUM CCC ANNUM A SACRA CONGREGATIONE FIDEI PROPAGANDAE CONDITA

Dilecte fili Noster, salutem et apostolicam benedictionem.—Cum tertio exeunte saeculo postquam Sacra Congregatio de Propaganda Fide condita auspico est, a templo Vaticano non adstantes tantummodo, verum etiam catholicos omnes alloqueremur, bona certaque spe tenebamur fore, ut, quae, afflante Spiritu Paraclito, ipso Pentecostes die, verba fecissemus, uberrimi ea fructus exciperent. Cui quidem expectationi Nostrae optime congruere rei eventus videtur ; novimus enim, venerabiles in episcopatu fratres, quorum satis multi praesentes sollemnibus ritibus aderant, sollicitudinis participes Nostrae, datis ad suos cuiusque fideles litteris, nomine Nostro impense eorum opem stipemque

sacris expeditionibus tuendis poposcisse. Iamvero cum mirifice delectatissimus perstudiosa Episcoporum in re tanti momenti voluntate, tum animi Nostri voluptatem auxit quod nuper audivimus, catholicis e Britannia esse deliberatum, una cum supplicationibus in triduum habendis in gratiarum actionem, in Coetum convenire quem Missionarium vocant, ad commemorandum trecentessimum a Sacra Congregatione condita annum, in quem centesimus quoque ab Opere Propagationis Fidei constituto feliciter incidit. Exhibitum vero Nobis a Cardinali Congregationis Praefecto statorem sollemnium libellum cum legeremus, vidimus libenter ea fore peragenda te, dilecte fili Noster, praeside, cuius auctoritate decreta sunt, itemque assidentibus, honoris et consilii sociis, reliquis Britanniae Praesulibus. Quodsi nomina eorum attendamus, qui curatores Coetui apparando vel oratores locis e proposito tractandis delecti sunt, dubitare non licet quin commemoratio ista dignitati gravitatieque causae respondeat. Confidimus equidem, sacerdotes ac fideles Britanniae nova ex hoc Coetu fidei capere incrementa eumque fraternae necessitudinis haurire spiritum, quo imbutos esse decet illius nationis cives quae latissime terra marique patet. Necessitudinis, inquam, qua omnes fratres in Christo Iesu sumus, et cuius vim qui in animo penitus insidere sinat, is profecto, praeterquam quod in missionali catholico, omni amoto nationis vel sodalitatis discrimine, generosum agnoscet virum, qui legitime apostolatus munus apud infideles populos summo cum labore atque haud raro cum ipsius vitae iactura persequitur, largam praeterea stipem in sacrarum expeditionum utilitatem conrogabit, nullo delectu, quemadmodum ad universos homines, quicumque ii sunt, quocumque orti genere, christiana pertinet caritas. Amplificationem vero christiani nominis inter gentes, quae *in umbra mortis sedent*, aeternamque tot miserrimorum hominum salutem subsidiis omne genus provehere, res est omnium sane prae-cellentissima ac paene divina, in eamque constat Opus a Fidei Propagatione tam incenso incumbere studio, ut non modo principem inter alia eiusmodi instituta obtineat locum, sed etiam providenter videatur hominibus comparatum, ne diutius id prorogetur ac distineatur quod tam crebro Patrem, *divina institutione formati*, efflagitamus: *Adveniat regnum tuum*.—Qua in re nihil certe optabilius quam ut catholici omnes Operi a Fidei Propagatione adscribantur, quod quidem a decessoribus Nostris, hoc centum annorum spatio, sacris indulgentiis locupletatum, Nosmetipsi nuper, fausta sollemnibus commemorationis occasione, Apostolicae huic Sedi proxime subiecimus atque obstrinximus; unde sequitur, Romano Pontifici eo Opere, veluti pretioso quodam instrumento, licere posthac, ad stipem colligendam atque inter sacrarum expeditionum stationes tempestive opportuneque partiendam, feliciter uti. Cum autem Operi eidem tamquam subsidiaria inserviant et Opus a S. Infantia et Opus, quod, a Petro Apostolo nuncupatum, rectae prospicit cleri indigenae institutioni, nemo non videt, esse utrumque ceteris anteferendum inceptis, quae omnibus quidem laudibus digna, peculiare aliquid in hoc genere sibi propositum habeant.—Itaque si catholici e Britannia hortationibus Nostris obsequantur—quod, ceterum, pro certo habemus, tantum apud eos christiana caritas potest cum religionis studio atque Apostolicae

Sedis veneratione coniuncta—Coetus, quem propediem in templo cathedrali Westmonasteriensi agent, non in vacuas declamationes evasurus est, ut in hominum congressionibus saepe fit, sed ea allaturus catholicis missionibus emolumenta, ut infideles populos ita appellare posse videamur: *Levate capita vestra, quoniam appropinquat redemptio vestra*.—Interea Spiritus Paraclitus in omnes, quotquot istuc conventuri sunt, sapientiae et caritatis munera effundat: quorum auspicem, itemque paternae benevolentiae Nostrae testem, tibi, dilecte fili Noster, venerabilibus fratribus Archiepiscopis et Episcopis, universoque clero et populo vobis commisso apostolicam benedictionem peramanter impertimus.

Datum Romae apud Sanctum Petrum, die xvii mensis septembris MCMXXII, Pontificatus Nostri primo.

PIUS PP. XI.

DOUBTS REGARDING THE CHANTS OF THE PREFACES, 'GLORIA,' AND 'CREDO' IN THE NEW MISSAL

(April 9, 1921)

DUBIA

DUBIA CIRCA CANTUM SOLLEMNIOREM PRAEFATIONUM ET CIRCA INTONATIONES CANTUS 'GLORIA IN EXCELSIS, CREDO ET ITE, MISSA EST'

Franciscus Brehm Sacerdos, Friderici Pustet, S. R. C. Typographi, librorum liturgicorum redactor, Sacrae Rituum Congregationi sequentia humillime proponit:

Cantu Gregoriano anno 1908 in Missale inducto, Missalium editionibus addi solita est Appendix quaedam, cui titulus 'Cantus ad libitum,' a S. R. C. approbata, quae continebat 3 Intonationes *Gloria in excelsis* nec non Praefationes in tono sollemniori, ad libitum Sacerdotis celebrantis dicendas. Haec Appendix in nova editione typica Missalis Romani Vaticana non amplius recepta est. Iam vero quaeritur:

I. a) Utrum ex eo, quod istae Praefationum cantilenae in nova editione typica Missalis desint, censendae sint abolitae ac prohibitae in posterum?

b) Et si negative, utrum etiam in posterum a typographis S. R. C. istae Praefationes in tono sollemniori Missalium editionibus Appendicis instar addi queant?

c) Et si affirmative, notandum, quod desideretur formulare Praefationis novae de S. Ioseph in eodem tono sollemniori compositum.

II. Cum numerus intonationum *Gloria in excelsis, Credo et Ite, Missa est*, anno 1908 in Missali Romano introductarum, in nova editione typica Missalis valde minutus sit, quaeritur, utrum Intonationes ex Missali exsultantes liceat in eadem Appendice exhibere ad libitum Sacerdotis cantandas.

Et Sacra eadem Congregatio, audito suffragio utriusque Commissionis de re liturgica et de cantu gregoriano, respondendum censuit :

Ad I. a) *Negative.*

b) *Affirmative.*

c) *Nihil obstat, quominus provideatur.*

Ad II. *Affirmative.*

Atque ita rescripsit ac declaravit. Die 9 Aprilis 1921.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, S. R. C. Secretarius.

LETTER OF HIS HOLINESS TO THE BISHOPS OF ITALY COUNSELLING PEACE AMONG THEIR PEOPLE

(October 28, 1922)

EPISTOLA APOSTOLICA

AD EPISCOPOS ITALIAE, QUOS HORTATUR UT APUD CIVES IMPENSIUS
URGENT STUDIUM PACIS RECONCILIANDAE

PIUS PP. XI

VENERABILI FRATELLI

SALUTE E APOSTOLICA BENEDIZIONE

Ora sono pochi mesi solamente, dinanzi ai mali ed alle lotte fratricide che funestavano il nostro diletto Paese, vi rivolgevamo un caldo appello, esortandovi a dirigere particolarmente la vostra pastorale sollecitudine all'opera di pacificazione degli animi e dei cuori. Ben sappiamo con quanta premura avete risposto al Nostro paterno invito; ma purtroppo la tanto desiderata tranquillità non è ancora tornata in mezzo al diletto popolo d'Italia, e l'animo Nostro è di nuovo profondamente addolorato alla vista dei mali, ognor più gravi, che ne minacciano il benessere materiale, morale, religioso, ritardando sempre più il risanamento delle profonde ferite, doloroso strascico dei lunghi anni di guerra. Fedeli, pertanto, e quella missione di carità affidata Ci dal Divin Redentore, Noi sentiamo imperioso il bisogno di indirizzare nuovamente a quanti sono cittadini di Italia una parola di carità e di pace. In nome di quella fratellanza che tutti li unisce nell'amore a questa terra così benedetta da Dio, in nome specialmente di quella fratellanza più nobile, perchè soprannaturale, che nella religione di Nostro Signore Gesù Cristo congiunge i figli d'Italia in una sola famiglia, Noi a tutti gridiamo colle parole di S. Stefano *Viri, fratres estis; ut quid nocetis alterutrum?*¹ E voi, venerabili fratelli, vogliate raddoppiare di zelo nell'opera santa di pacificazione, così alacramente intrapresa. Esortate tutti quelli che sono affidati alle vostre cure, a mitigare e, se occorre, a sacrificare pel pubblico bene i propri desideri, ispirandosi ai principi cristiani dell'ordine, ed a quei sentimenti di carità, di mansuetudine e di perdono, dei quali il Divino Maestro ha fatto ai suoi fedeli legge suprema. Ritornino essi

¹ Acts vii. 26.

sinceramente a Gesù Cristo *qui est pax nostra*,¹ perchè solo amando Lui si ameranno anche tra loro e, nella fraterna cooperazione, contribuiranno a quella generale prosperità della quale poi tutti godranno i frutti.

Di questa tanto desiderata riconciliazione sia intanto pegno ed auspicio l'apostolica benedizione che di cuore impartiamo a voi, o venerabili fratelli, al vostro clero e a tutti i fedeli alle vostre cure affidato.

Dal Vaticano, li 28 ottobre 1922.

PIUS PP. XI.

THE PLACING OF TABLETS IN CHURCHES AND CRYPTS DESTINED TO DIVINE WORSHIP GIVING THE NAMES OF DECEASED WHO ARE NOT BURIED THEREIN IS NOT PERMITTED

(October 20, 1922)

SACRA CONGREGATIO RITUUM

DUBIUM

DE NON APPONENDIS TEMPLIS TABULIS CUM NOMINIBUS DEFUNCTORUM
IBIDEM NON SEPULTORUM

Sacrae Rituum Congregationi pro opportuna declaratione sequens dubium expositum fuit: nimirum:

'Utrum in ecclesiis earumque cryptis divino cultui destinatis apponere liceat tabulas cum inscriptionibus et nominibus fidelium defunctorum quorum corpora inibi tumulata non sunt nec tumulari possunt iuxta canonem 1205 § 2 Cod. I. C.'

Et Sacra Rituum Congregatio, omnibus accurate perpensis, proposito dubio respondendum censuit:

'Non licere, iuxta alias resolutiones et ad tramitem decreti S. R. C. n. 733 et can. 1450 § 1 Cod. I. C.'

Atque ita rescipit et servari mandavit. Die 20 octobris 1922.

✠ A. CARD. VICO Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ALEXANDER VERDE, Secretarius.

DOUBTS REGARDING THE COMPETENCY OF CERTAIN ORDERS OF NUNS TO ESTABLISH NEW FOUNDATIONS

(October 11, 1922)

SACRA CONGREGATIO DE RELIGIOSIS

DUBIA

CIRCA FUNDATIONES MONASTERIORUM MONIALIUM

Sacrae Congregationi de Religiosis sequentia dubia fuerunt proposita pro opportuna solutione:

Contingit aliquando ut monasteria monialium, ex instituto quidem

¹ Eph. ii. 14.

votorum solemnium, in quibus tamen ex praescripto Apostolicae Sedis pro aliquibus locis vota nonnisi simplicia emittuntur, procedant ad fundandum novum monasterium eiusdem Ordinis, missis aliquibus monialibus in locum eidem praescripto minime obnoxium. Hinc quaeritur :

I°. An vota emissa, aut emittenda, in novo monasterio, ut supra fundato aut fundando, habenda sint solemnia ad normam iuris communis.

II°. An moniales de quibus in can. 488 n. 7° possint alibi fundare nova monasteria absque beneplacito Sedis Apostolicae.

III°. An monasterium monialium cum votis solemnibus et clausura Papali, quando in alium locum transfertur, pergat esse clausurae Papalis et votorum solemnium.

IV°. Quid iuris quando monasterium monialium, de quibus in can. 488 n. 7°, transfertur in locum ubi non viget praescriptum S. Sedis de quo in dicto canone.

Porro Eñi Patres Sacrae Congregationis Religiosorum Sodalium negotiis praepositae, in plenario coetu habito die 21 iulii 1922, re mature perpensa, respondendum censuerunt :

Ad I. *Affirmative*, dummodo accedat beneplacitum Apostolicae Sedis,

Ad II. *Negative*, et supplicandum SSmo ut foundationes huiusmodi hactenus absque Sedis Apostolicae interventione peractas sanare dignetur.

Ad III et IV. Recurrendum in singulis casibus ad Apostolicam Sedem.

Facta autem de omnibus relatione SSmo Domino Nostro Pio divina Providentia Papae XI, in audientia habita ab infrascripto P. Secretario die 27 iulii, Sanctitas sua Eñorum Patrum sententiam ratam habere, et sanationem de qua in dubio II° concedere dignata est.

Contrariis quibuscumque minime obstantibus.

Romae ex Secretaria Sacrae Congregationis de Religiosis, die 11 octobris 1922.

L. ✠ S.

C. CARD. LAURENTI, *Praefectus*.

MAURUS M. SERAFINI, Ab. O.S.B., *Secretarius*.

THE COLLATION OF A PARISH IN ACCORDANCE WITH THE NEW CODE OF CANON LAW

(February 19, 1921)

SACRA CONGREGATIO CONCILII

UTINEN.

COLLATIONIS PAROECIAE

Die 19 februarii 1921

SPECIES FACTI.—Inter plures Utinensis archidioecesis ecclesias, quae Capitulo Collegiali Civitatensi vulgo *Civiale* unitae sunt, adnumeratur paroecia loci *Faëdis*, cuius actualis animarum cura per vicarium per-

petuum seu parochum exercetur. Iam ab immemorabili tempore idem Capitulum instituere perrexit memoratum parochum de Faëdis, quem sibi praesentandi ius concessit aut verius recognovit comitibus de Cuchanea, eligendum tamen ex tribus idoneis sacerdotibus ab Archiepiscopo Utinensi per concursum approbatis.

Quum patroni de Cuchanea in plures stipites creverint atque onera iuripatronatus adnexa, reficiendi nempe paroecialem ecclesiam, sustinere detrectaverint, hortante ad normam can. 1451 § 1 Codicis canonici hodierno Archiepiscopo, in ipsius manus illud nuper renuntiare maluerunt. Qua posita iuripatronatus cessione quaestio orta est, iudicio huius S. C. ab Archiepiscopo Utinensi dirimenda subiecta, utrum videlicet Capitulo Civitatensi in posterum competat ius instituendi parochum de Faëdis absque ulla praesentatione seu libere conferendi paroeciam in casu, an e contrario eadem paroecia liberae collationis Archiepiscopo evaserit.

SYNOPSIS DISCEPTATIONIS.—Archiepiscopus contendit ex facta iuripatronatus cessione ecclesiam paroecialem de Faëdis evasisse liberae collationis Ordinarii, idque ostendere nititur sive ex eo quod secus frustranea cessisset ipsa renuntiatio, si, ut ipse ait, ‘liberatorum da un patrono, debba ristabilirsi un altro diritto limitativo della autorità e giurisdizione vel Vescovo,’ sive etiam quia Capitulum, ‘il quale non aveva finora a compiere che un semplice *actus iustitiae*, non dovrebbe ora crescere, per la rinunzia del patronato, nel suo diritto ed esercitare un *actus liberalitatis*, quale è appunto la libera collazione di un beneficio che secondo il diritto canonico spetta al Vescovo.’

Ex adverso Capitulum Civitatis sustinet, post factam iuripatronatus renunciationem, sibi competere ius libere conferendi paroeciam de Faëdis, ratione praesertim innixum ex iure non decrescendi deprompta, quatenus nempe, si paroecia qua de agitur fieret liberae collationis Archiepiscopi, Capitulum privaretur iure investiendi ipsum parochum hucusque pacifice possesso. Ceterum addit aequum videri si iuripatronatus, quod Capitulum prius concessit comitibus de Cuchanea, per eorum renuntiationem iterum ad Capitulum rediret.

Verum abs re non erit nonnulla ex officio subnectere.

Quum paroecia de Faëdis Capitulo Civitatensi unita exsistat, quidquid sit quoad praeteritum, ius eius vicarium seu parochum libere instituendi ad unum tantum Archiepiscopum pertinere videtur ex claro Codicis iure can. 471 § 2 ad rem decernente: ‘Vicarium praesentat Capitulum . . . ; loci autem Ordinarius eundem, si idoneum . . . repererit, instituat.’ Concinit canon 456 quoad vicarios paroeciales religiosorum. Nec in contrarium facessere valet quod hic desideretur expressa revocatio privilegii apostolici, de quibus canones 4 et 5 Codicis, quum in themate potius agi videatur de abrogatione iuris communis praesistentis iuxta canonem 6 § 1 statuentem: ‘Leges quaelibet, sive universales sive particulares, praescriptis huius Codicis oppositae abrogantur.’ Siquidem Pius V Bulla *Ad exequendum* diei 1 nov. 1567 ad rem quod attinet haec decrevit: ‘Volumus et ita mandamus quod dicti

Vicarii perpetui non ad liberam Ordinariorum electionem, sed ad nominationem illorum, in quorum ecclesiis unitis ponentur, cum ipsorum Ordinariorum seu eorum Vicariorum examine et approbatione deputentur.' Unde Leurenus (*Forum beneficiale*, part. 1, quaest. 116, n. 2) tradit: 'Respondeo Vicarios perpetuos in parochialibus unitis non ad liberam Ordinariorum deputationem, sed ad deputationem illorum ad quos spectant ecclesiae unitae vel beneficia, in quibus erigitur Vicaria, spectare. . . . Atque ita nominatio ac veluti institutio Vicarii perpetui pertinet ad rectorem principalem, praecedente tamen examine et consensu Episcopi sive Ordinarii'; et (ib., quaest. 121): 'Tametsi nominatio Vicarii perpetui spectet ad rectorem principalem, is tamen ab eo institui nequit sine praevio examine et consensu Episcopi seu Ordinarii.' Cf. Bouix, *de parcho*, pag. 309.

Neque Capitulum Civitatense sibi saltem vindicare posse videtur ius praesentandi Archiepiscopo Vicarium seu parochum de Faëdis, quia hoc iure absolute se expoliavit per factam concessionem vel melius recognitionem comitibus de Cuchanea, qui nunc in favorem non Capituli, sed unius Archiepiscopi, ad tramitem can. 1451 § 1, idem ius renunciarunt.

Verum idem redire videtur etiamsi ecclesia de Faëderis non sit Vicaria perpetua, sed proprie dicta paroecia, idque ex praescripto canonis 455 ita se habentis: 'Ius nominandi et instituendi parochos competit Ordinario loci, exceptis paroeciis S. Sedi reservatis, reprobata contraria consuetudine, sed salvo privilegio electionis aut praesentationis, si cui legitime competat.' Ius enim instituendi parochum de Faëdis asseritur quidem provenire Capitulo Civitatensi ex immemorabili consuetudine a S. Sede firmata. Id tamen non videtur undequaque certum, quum Bullae quae afferuntur loquantur dumtaxat de curatis et capellanis ad nutum amovibilibus, dum e contrario vicarius seu parochus de Faëdis est perpetuus. Sed hoc etiam misso, in relato canone expresse reprobat consuetudo contraria. Nec refert quod consuetudo in themate sit confirmata a S. Sede, quia haec confirmatio, quum non induat naturam novae concessionis seu privilegii, tamquam quid accessorium reputatur, ideoque, desinente consuetudine, et ipsa confirmatio desinat oportet. Sed etiamsi detur hic agi de vero privilegio apostolico, hoc quoque in relato canone 455 quoad institutionem, revocatum fuisse eruitur ex eo quod ibi unica fiat exceptio quoad privilegium electionis et praesentationis parochi, omissa qualibet exceptione quoad institutionem. Ceterum et verbum *privilegium* ibi latius sumi videtur pro quolibet iure, idest etiam pro consuetudine et pro fundatione in ordine tantum ad parochi electionem vel praesentationem.

Id confirmari videtur ex collatione canonis 455 cum canone 405 ita decernente: 'Exceptis dignitatibus, ad Episcopum pertinet, audito Capitulo, conferre omnia ac singula beneficia ac canonicatus in ecclesiis tum cathedralibus tum collegialibus, reprobata quavis contraria consuetudine et revocato quolibet contrario privilegio, sed firma contraria fundationis lege.' Jamvero si quoad collationem canonicatum et beneficiorum in ecclesiis cathedralibus et in ipsis collegialibus fit

revocatio etiam contrarii privilegii apostolici, a fortiori id dicendum videretur quoad institutionem seu collationem paroeciarum, quum hic agatur de suprema lege salutis animarum.

Quare, etc.

RESOLUTIO.—In plenariis Sacrae Congregationis Concilii comitiis, die 19 februarii 1921, Eñi Patres ad propositum dubium, videlicet: *An Archiepiscopo vel Capitulo competat ius conferendi paroeciam in casu*, respondendum censuere: *Archiepiscopo competere ius instituendi in paroeciam quem Capitulum praesentaverit ad normam can. 471 § 2 C. 1, C.*

Facta autem postridie relatione ab infrascripto S. C. Secretario, Ssm̃us Dñs Noster datam resolutionem approbare et confirmare dignatus est.

I. MORI, *Secretarius.*

THE RIGHT OF NOMINATION AND PRESENTATION TO CANONRIES IN A CERTAIN CATHEDRAL CHAPTER

(June 10, 1922)

SACRA CONGREGATIO CONCILII

BARULEN.

COLLATIONIS CANONICATUM

12 novembris 1921 et 10 iunii 1922

SPECIES FACTI.—Antiqua S. Mariae maioris collegiata, in urbe Barulensi, vulgo *Barletta*, erecta, tribus dignitatibus, idest archipresbyteratu et duobus cantoratibus, constabat, una cum 30 portionibus seu officiis. Clemens XII, Bulla *In suprema*, die 29 iunii 1731, reservata ut antea S. Sedi collatione earundem trium dignitatum, ceteras 30 portiones seu officia in totidem canonicatus erexit, quorum collationem ipsi Capitulo concessit quoties Apostolicae reservationes et affectiones non obstarent.

Verum Capellanus maior regiae Camerae S. Clarae, Neapoli, quadam sententia diei 9 decembris 1786, collegiatam S. Mariae maioris et eius Capitulum declaravit regii patronatus, ideoque ius eligendi et nominandi archipresbyterum aliosque capitulares regi utriusque Siciliae attribuit. Quum vero Capitulum collegiale S. Mariae maioris suas hac de re querelas movisset regi Ferdinando, hic, rescripto diei 17 aprilis 1790, reservata sibi archipresbyteratus collatione, idem Capitulum redintegrandum iussit in possessione eligendi more solito capitulares, eosque sibi praesentandi pro regia approbatione et confirmatione.

Dein Pius IX, Bulla *Imperscrutabili* diei 21 aprilis 1860, memoratam S. Mariae maioris Collegiatam in cathedralem aequae principaliter metropolitanae Tranensi unitam erexit, eamque componi statuit 4 dignitatibus (i.e. archipresbyteratu, archidiaconatu, primiceriatu et thesaurariatu), necnon 20 canonicis ac 12 beneficiatis, simulque, S. Sedi reservata primae dignitatis seu archipresbyteratus collatione, pro aliorum canonicatum provisione Archiepiscopo pro tempore Barulensi facultatem indulsit 'tres digniores ecclesiasticos viros ex universo clero Barulen. laudato utriusque

Siciliae Regi eiusque legitimis successoribus praesentandi ut ex iis tribus unum nominet, qui ab eodem Archiepiscopo vel per se vel per alium . . . canonicam institutionem recipiat; quoad vero cetera beneficia, eadem iuxta solitum conferantur nihilque innovetur.' Quum autem in huius Bullae executionem nonnullae exortae fuerint controversiae praesertim circa canonicatum provisionem, Archiepiscopum inter et Capitulum Barulense quaedam inita fuit conventio ab eodem Pontifice Brevi diei 22 augusti 1874 approbata, vi cuius, excepta prima archipresbyteratus dignitate S. Sedi reservata, 'idem Capitulum nominare seu proponere pergat legitimo recognito Regi, in quem Sedes Apostolica rite translata privilegia huiusmodi agnoverit, idoneam ecclesiasticam personam ex universo Barulensi clero, habita quoad ipsi marianae ecclesiae addictos ratione servitii a statutis et consuetudinibus capitularibus praescripti et facta etiam facultate extraneum a civitate virum deligendi, quatenus id in utilitatem et decus ecclesiae cessurum fore in Domino iudicaverit. At vero nominatio quaelibet huiusmodi nullius roboris remanere debeat nec ullum sortiri valeat effectum donec approbatio accesserit Barulensis Ordinarii, cui iudicium de nominati idoneitate plene reservatum existat ita ut approbatione huiusmodi denegata ad alias successive nominationes huiusmodi Capitulum et canonici praefati procedere teneantur. Institutio autem personae sic propositae ac nominatae semper et libere ad ipsum Barulen. Ordinarium spectet et pertineat et ab eodem sive per se sive per alium virum in ecclesiastica dignitate constitutum ac ab eo rite delegandum concedi debeant. . . .'

Haec praxis nominandi canonicos Barulenses hucusque servata est, nisi quod, quum ob leges eversivas numerus capitularium ad 6 beneficiatos et ad 12 canonicos civiliter recognitos, 5 computatis dignitatibus, redactus sit, anno 1917 adiuncti fuerunt sola Ordinarii auctoritate tres canonici statutarii qui non secus ac ceteri canonici iisdem iuribus fruuntur ac oneribus tenentur. Et quoniam idem Capitulum, iuxta statuta, art. 29, 'ha la cura abituale delle anime, nomina a vita per la cura attuale quattro canonici *de gremio Capituli* col titolo di canonici coadiutori curati per la Cattedrale e le altre tre Vicarie. La nomina di detti canonici coadiutori non è valida se non viene approvata dall' Ordinario, e per le tre Vicarie sarà fatta possibilmente nella persona dei canonici statutari.'

Hae 4 coadiutoriae curatae, nempe Cathedralis, S. Sepulcri, S. Mariae a Victoria et S. Familiae, nuper a civili auctoritate tamquam verae parociae recognitae sunt; Capitulum vero deliberatione diei 25 octobris 1920 renunciavit favore Ordinarii cuicumque iuri, si quod haberet, praesentandi seu nominandi tres canonicos statutarios, in vicarios seu parochos trium ecclesiarum S. Sepulcri, S. Mariae a Victoria et S. Familiae deputandos. Et hodiernus Ordinarius Barulensis ab hac S. C. inter alia petiit et die 1 febr. 1921 obtinuit 'che il parroco della Cattedrale sia un canonico riconosciuto dallo Stato, e che gli latrì tre parroci siano canonici statutari con uguali diritti di quelli riconosciuti dallo Stato . . . ; che i 4 parroci siano canonici perchè parroci, onde se per qualsiasi ragione cessassero di essere parroci, cesserebbero di essere canonici. . . .'

Hisce generatim praeiactis, ad hodiernam quaestionem pressius quod attinet, addendum est quod Administrator apostolicus Barulensis ut provideret canonicis curatis ecclesiarum Cathedralis et S. Sepulcri, mense martio 1920 concursum indixit, cui nomen dederunt quatuor candidati, seu sacerdotes Russo, D'Amato, Spera et De Fidio, qui postremus periculi minor evasit. Iamvero idem Administrator quum censuerit canonicatum statutarium curatum S. Sepulcri esse liberae collationis Ordinarii, illud sacerdoti Russo, utpote digniori in concursu recognito, statim contulit, et reliquit Capitulo facultatem eligendi canonicum curatum Cathedralis inter alios duos candidatos approbatos seu inter D'Amato et Spera praetermisso sacerdote De Fidio. Capitulum praetulit sacerdotem Spera, eumque die 25 maii 1920 nominavit ad canonicatum qui vacaverat die 29 decembris 1918 ob promotionem canonici Pastore ad quartam thesaurariatus dignitatem, dum officium curati seu parochi Cathedralis vacavit dumtaxat a die 5 maii 1919 propter obitum sacerdotis Musti, qui erat simul archidiaconus seu secunda dignitas et parochus Cathedralis, Sacerdos Spera obtinuit quidem regium decretum nominationis in canonicum curatum Cathedralis, sed nondum est consequutus eius canonicam institutionem et possessionem.

Pariter Capitulum Barulense, ut alterum approbatum seu sacerdotem D'Amato praemio remuneraretur propter decennale praestitum servitium cooperatoris paroecialis in ipsa Cathedrali, eadem ut supra die 25 maii 1920, plenis suffragiis 10 eidem pollicitus est nominationem canonicatus primo vacaturi. Vacato autem die 14 augusti 1920 canonicatus per promotionem sacerdotis Scuro ad secundam archidiaconatus dignitatem, post biduum habitus fuit capitularis conventus, in quo sacerdos D'Amato in canonicum electus fuit atque Ordinario pro approbatione praesentatus. Quamvis enim ipse ex novem canonicis praesentibus nonnisi quatuor suffragia reportaverit, tamen quintus canonicus schedulam vacuum deposuit et alii quatuor a voto sese abstinerunt, ea tantum de causa quod contenderent ad provisionem eiusdem canonicatus deveniendum non esse nisi prius aliis Capituli quaestionibus solutis.

Verum sacerdos De Fidio, qui in concursu reiectus fuerat, prius seu die 23 augusti 1920 electionem sacerdotis D'Amato in canonicum, et dein die 2 insequentis septembris nominationem sacerdotis Spera in canonicum parochum Cathedralis Barulensis apud S. Sedem ut nullas denunciavit.

SYNOPSIS DISCEPTATIONIS.—I. Nullitatem nominationis canonici D'Amato ipse praesertim repetit ex defectu maioritatis suffragiorum, eo quod in postrema votatione capitulari diei 16 augusti 1920 super 9 capitularibus idem candidatus dumtaxat 4 vota sibi faventia reportavit. Ex adverso patronus Capituli contendit illa 4 vota a sac. D'Amato reportata unanimi in casu praeserferre, quia iuxta canonem 101 Codicis I. C. in votis computandis, 'demptis votis nullis,' ratio habenda tantum est eorum 'qui suffragium ferunt,' seu votantium non autem praesentium, sicut decernunt etiam Statuta capitularia, artic. 87: 'Non avrà valore

quella votazione o deliberazione, la quale non abbia ottenuto il suffragio di metà più uno dei votanti.'

Nullitatem vero nominationis canonici parochi Spera desumit idem De Fidio ex eo quod, ob negligentiam Capituli et Ordinarii, collatio eiusdem canonicatus devoluta est ad S. Sedem. Dum enim vacatio canonicatus de quo agitur incepit a die 22 decembris 1918, eius provisio per electionem sacerdotis Spera nonnisi die 16 augusti 1920 effecta est. E contrario procurator Capituli sustinet tempus utile 4 mensium, quum in casu agatur de canonicatu curam animarum habente, ex canone 1457 a die tantum concursus, computandum esse. Iamvero concursus habitus fuit die 32 martii 1920, nominatio vero sacerdotis Spera in canonicum curatum die 28 aprilis successivi facta fuit.

Verius quoad hanc canonici curati Spera electionem cum distinctione respondendum videretur, quum in casu officium parochi non sit perpetuo adnexum uni canonicatui, quemadmodum constat ex statutis capitularibus et ex facto quod ultimo defunctus canonicus archidiaconus officio quoque parochi fungebatur. Hinc quum Capitulo Barulensi tamquam parochi habituali in vim canonis 471 § 2 competat ius praesentandi actuale vicarium cathedralis, iuxta tenorem canonis 161 trimestre utile decurrere incepit a die concursus iuxta citatum canonem 1457, ac proinde valida dicenda videtur deputatio sacerdotis Spera ad officium parochi Cathedralis infra dictum tempus facta. At collatio canonicatus in casu, quippe qui per se non habeat adnexam curam animarum, ideoque concursum non importet, vi canonis 1432 § 3 ad S. Sedem devoluta esse videtur. Siquidem Capitulum Barulense ex supposito iurepatronatus sibi competente nominare omisit canonicum intra quadrimestre ad tramitem canonis 1456, et etiam Ordinarius iure devolutionis intra sequens semestre iuxta praescriptum canonis 1458 canonicatum ipsum libere conferre neglexit.

II. Verum gravior eaque elegantior quaestio promota est *ex officio* circa ipsum ius nominandi seu praesentandi canonicos in Capitulo cathedrali Barulensi, utrum nempe hoc ius seu privilegium adhuc vigeat post Codicis I. C. promulgationem, an e contrario ei derogatum sit can. 403 ita se habente: 'Exceptis dignitatibus, ad Episcopum pertinet, audito Capitulo, conferre omnia et singula beneficia ac canonicatus in ecclesiis tum cathedralibus tum collegialibus, reprobata quavis contraria consuetudine et revocato quolibet contrario privilegio, sed firma contraria foundationis lege et praescripto canonis 1435.'

Capituli patronus defensione typis edita totis viribus dimicat pro huius iuris seu privilegii tuitione eiusque etiam in praesens existentia. Praemisso enim quod iuxta canonem 4 'iura aliis quaesita itemque privilegia atque indulta quae ab Apostolica Sede . . . concessa in usu adhuc sunt nec revocata, integra manent, nisi huius Codicis canonibus expresse revocentur,' contendit ius nominandi seu praesentandi canonicos in casu revocatum non fuisse vi citati canonis 403, qui iuxta ipsum 'revoca (eccettuato il caso della legge di fondazione) il privilegio che altri, fuori dell'Ordinario, abbia di conferire i canonicati, laddove nel caso non si tratta della collazione ma del diritto e privilegio di

nominare e proporre all'Ordinario i nuovi canonici.' Contrariam autem interpretationem, quam extensivam et impropriam vocat, excludi asserit sive a canone 19 quando agitur de iuribus legitime quaesitis, sive etiam a canone 18 vi cuius 'leges ecclesiasticae interpretandae sunt secundum propriam verborum significationem in textu et contextu consideratam.'

Quum praeterea iuxta citatum canonem 18 'si lex dubia et obscura manserit, ad locos Codicis parallelos, si qui sint, ad legis finem . . . et ad mentem legislatoris est recurrendum,' patrocinator ad can. 1455, 2393 et praesertim 1471 provocat tamquam ad locos parallelos. Et imprimis quoniam iuxta ipsum canon 1455 adhuc recognoscit ius aut privilegium praesentandi, nulla ratio suppetere ait cur hoc ius denegetur Capitulo Barulensi quod, teste ipso Pio IX in citato Brevis anni 1874, a saeculis veluti compatronum iure fruebatur praesentandi seu, proponendi legitimo regi idoneam personam, subinde ab archipresbytero mariano, iure proprio, in seio etiam Ordinario, instituendam.' Addit praeterea canonem 2393 expresse admittere ius eligendi, praesentandi et nominandi, idque distinguere a collatione vel a iure conferendi his verbis: 'omnes qui iure eligendi, praesentandi vel nominandi legitime fruuntur, si neglecta auctoritate illius cui confirmatio vel institutio competit, officium, beneficium aut dignitatem ecclesiasticam conferre praesumpserint, suo iure pro ea vice ipso facto privati maneant.' Denique in canone 1471 explicite admitti ait privilegium praesentationis veluti distinctum a titulo seu lege foundationis, quum ita statuatur: 'Si cui Sedes Apostolica sive in concordatis sive extra concordata indultum concesserit praesentandi ad ecclesiam vacantem vel ad beneficium vacans, non inde ius patronatus oritur, et privilegium praesentationis strictam interpretationem pati oportet ex tenore indulti.'

Ex adverso retinendum videtur ius nominandi seu praesentandi canonicos Capitulo cathedrali Berulensi iam pridem competens, quum naturam *privilegii* induat, a relato canone 403 Codicis fuisse revocatum. Per hunc enim canonem in Capitulis saltem cathedralibus et collegialibus videtur conservatum tantum ius nominandi seu praesentandi aut ius patronatus, quod a lege foundationis originem duceret, quocumque alio titulo sive consuetudinis sive *privilegii* excluso.

Etenim verbum *conferre* seu *collatio* dicti canonis 403 ex se importat collationem liberam beneficiorum non solum ad exclusionem aliorum collatorum sed etiam ad exclusionem collationis necessariae, quae a lege foundationis singulorum beneficiorum causae non habeat. Haec vox *collatio* sine addito sumitur in Codice pro *collatione libera* (salva semper foundationis lege), ex. gr. in canone 396 § 1: 'collatio dignitatum tum in Capitulis cathedralibus tum in collegialibus Sedi Apostolicae reservatur'; et generatim in canonibus collationem beneficiorum respicientibus. E contrario Codex quoties indicare intendit collationem beneficiorum necessariam, nunquam utitur verbo *collatione* sine addito sed constanter verbis *institutione canonica*, ex. gr. canonibus 148, 149, 332, 1466, 1467, 1468 et ita porro.

Nec praetereundum quod in canone prostant verba *audito Capitulo*.

Haec autem auditio Capituli non solum Episcopis onerosa, sed inutilis omnino evaderet si collatio de qua in hoc canone, praeter casum legis foundationis, esset etiam necessaria, idest ad praesentationem seu nominationem patronorum.

Praeterea mens legislatoris hac de re non videtur dubia, quum eo tendat ut Ecclesia plenam acquirat libertatem in conferendis beneficiis praesertim Capitulorum cathedralium (quorum membra ipsum Episcopi senatum constituunt) et collegialium. Unica exceptio facta est quoad beneficia patronata ex fundatione seu dotatione, ut, quoad possit, integra servetur fundatorum voluntas. Urgetur hoc argumentum ex eo quod, praecise, ut videtur, ex consideratione huius can. 403, a Commis-sione pro authentica Codicis interpretatione resolutum fuerit primum '*optionem iam censi prohibitam etiam ubi viget ex speciali indulto apostolico*' et postea '*hanc prohibitionem intelligendam esse non solum quoad dignitates, sed etiam quoad omnes canonicatus.*'

Res clarior evadit si perpendantur dispositiones quae a Codice statu-untur in capite de iurepatronatus. Sane, canone 1448 ius patronatus definitur '*summa privilegiorum, cum quibusdam oneribus, quae ex Ecclesiae concessionem competunt fundatoribus catholicis ecclesiae, capellae aut beneficii, vel etiam eis qui ab illis causam habent.*' Heic uti patet iuspatronatus tantum recognoscitur fundatoribus beneficiorum eorumque successoribus, non autem iis qui illud ex consuetudine vel privilegio apostolico aut quovis alio titulo repetunt. Idque ad tramitem Concilii Tridentini, cap. 12, sess. 24 *de reform.*: '*Nemo, etiam cuiusvis dignitatis ecclesiasticae vel saecularis, quacumque ratione, nisi ecclesiam, beneficium aut capellam de novo fundaverit et construxerit, seu iam erectam, quae tamen sine sufficienti dote fuerit, de suis propriis et patrimonialibus boni competenter dotaverit, ius patronatus impetrare aut obtinere possit aut debeat.*

Nec valide opponi posse videtur hanc iuris patronatus definitionem potius quam iura patronatus constituta respicere solummodo consti-tuenda. Nam praeterquamquod definitiones dantur de rebus prout existunt non autem prout existere possunt, de facto ex canone 1450 '*nul-lum patronatus ius ullo titulo constitui in posterum valide potest,*' atque Episcopi tantum possunt '*fundationem beneficii admittere ea adiecta conditione ut beneficium prima vice conferatur clerico fundatori vel alii clerico a fundatori designato,*' exclusis proinde in posterum iis qui ab ipsis fundatoribus causam habent, secus ac dicitur in relata iuris patro-natus definitione.

Nec in contrarium facessere videntur canones 1455, 1^o, 2393 et 1471 a defensore Capituli citati. Nam duo priores canones optime aptantur iuribus patronatus ex fundatione, exclusis aliis ex consuetudine vel pri-villegio. Canon vero 1471, praeterquam referri potest ad futura indulta peculiari de causa forsan a S. Sede concedenda, intelligendus videtur de indultis ex fundatione non autem ex solo privilegio a S. Sede con-cessis; nam ius patronatus, uti patet ex relata eius definitione, per se iam non inhaeret ipsi fundationi sed est specialis Ecclesiae concessio. Exceptio tamen fieri debet quoad indulta patronatus etiam privilegiati

in concordatis a S. Sede concessa, quia iuxta canonem 3, 'Codicis canones initas ab Apostolica Sede cum variis Nationibus conventiones nullatenus abrogant aut iis aliquid obrogant; eae idcirco perinde ac in praesens vigere pergent, contrariis huius Codicis praescriptionibus minime obstantibus.'

Denique quoad Capitulum Barulense non videtur ambigendum agi de iure patronatus ex mero privilegio, quemadmodum nec ipse patronator Capituli diffitetur. Aliqua fortasse difficultas oriri posset ex eo quod ius nominandi seu praesentandi in casu innitatur conventioni inter Archiepiscopum et Capitulum Barulenses inita atque a Pio IX Brevi *Rationabilia* anni 1874 firmata. Sed quum conventio ipsa fundetur in privilegio iurispatronatus a S. Sede tunc concesso et nunc revocato, cessante fundamento iuridico concessionis pontificiae, et ipsam conventionem cessare oportet. Quare, etc.

RESOLUTIO.—Porro propositis semel et iterum, in plenariis nempe Sacrae Congregationis comitiis diei 12 novembris 1921 et 10 iunii 1922, dubiis ex officio ita ut sequitur conceptis:

I. *An post Codicem iuris canonici in Capitulo cathedrali Barulensi adhuc vigere dicendum sit ius nominandi seu praesentandi canonicos in casu;*

II. *An nominationes sacerdotis D'Amato in canonicum et sacerdotis Spera in canonicum parochum Cathedralis Barulensis sustineantur in casu;*

Em̃i ac Reṽmi Patres, perpensis omnibus, respondendum censuere:
Ad I. *Negative.*

Ad II. Sanatis defectibus, sacerdotes Spera et D'Amato immittendos esse in possessionem respectivi canonicatus, *facto verbo cum Ssmo.*

Quas resolutiones Ssm̃us Dñus Noster Pius div. prov. Papa XI, referente infrascripto Sacrae Congregationis Secretario, approbare dignatus est.

I. MORI, *Secretarius.*

DECLARATION OF NULLITY OF MARRIAGE CONTRACTED SUBJECT TO A CONDITION 'SINE QUA NON'

(August 11, 1921)

[The decree was not published until August, 1922.]

SACRA ROMANA ROTA

PARISIEN.

NULLITATIS MATRIMONII (PEMJEAN-THÉBAUT)

Benedicto PP. XV feliciter regnante, Pontificatus Dominationis Suae anno septimo, die 11 augusti 1921, RR. PP. DD. Franciscus Sollieri, Ponens, Iosephus Florczak et Iacobus Sole, Auditores de turno, in causa Parisien. Nullitatis matrimonii inter Violam Pemjean, actricem, repraesentatam per legitimum procuratorem, D. Nazarenum Ferrata, advocatum,

et Rogerium Thébaut, reum conventum, contumacem, interveniente et disceptante in causa R. D. Vinculi Defensore huius Sacri Tribunalis, hanc tulerunt definitivam sententiam.

Viola Pemjean, e familia religionis catholicae quam maxime observantissima, die 3 ianuarii anno 1911, Parisiis, in ecclesia parochiali Sancti Rochi, matrimonium cum Rogerio Thébaut coram Ecclesia contraxit. Hoc matrimonium infelicissimum habuit exitum. Nam, cum notum esset et Violae et eius parentibus, dictum Thébaut, patris mores gerentem, non modo catholicae religionis non esse studiosum, sed imo eidem summo opere infensum, dum de matrimonio contrahendo ageretur. Viola Rogerio declaravit, se cum eo non esse nupturam nisi ei serio promitteret, ut ipsa plena frueretur libertate religionis catholicae praecepta servandi, ac filii nascituri baptizarentur catholicisque principiis imbuerentur. Quae omnia Rogerius Thébaut semel atque iterum promisit. Verum statim apparuit Rogerium promisisse quod *ex condicto* servaturus non erat. Etenim, civili caeremonia peracta, imagines sacras et cubili nuptiali Rogerius abstulit. In ipsa matrimonii celebratione Rogerius impudenter se gessit atque sponsae preces legenti dixit aperte 'que c'était stupide de lire ces choses.' Parocho consensum matrimonialem sciscitanti primo respondere renuit, imo anulo nuptiali benedicto anulum non benedictum supposuit. Inito matrimonio, Rogerius acerrime obstitit, ne uxor ecclesiam frequentaret, illam compulit ut feria sexta maioris hebdomadae carnes ederet, illamque prohibuit quominus praecepto paschali satisfaceret, imo eo progressus est ut mortem ei minaretur si filius nasciturus baptizaretur. Ex his iurgia ac contentiones statim inter sponsores orta sunt; resque adeo processerunt ut uxor ad parentes suos confugere coacta sit; et licet parentum suasionem ad domicilium viri prima vice se reddiderit, tamen denuo fugit amplius non reversura. Cohabitatio coniugalisper quindecim circiter dies perduravit. Ne autem cum perfido viro quid commune haberet, Viola civile divortium petiit et obtinuit. Hinc curiam Parisiensem adiit petens ut eius matrimonium ob non impletam conditionem sub qua, ut ipsa ait, initum est, nullum declararetur. Processu rite ad normam iuris apud curiam Parisiensem instructo, die 2 octobris anni 1920 sententia prodiit qua matrimonium inter Violam Pemjean et Rogerium Thébaut initum, nullum ob non impletam conditionem declaratum est. A qua sententia, ad normam iuris, iugalis vinculi Defensor ad hoc sacrum Tribunal appellavit. Quare in secunda instantia haec nullitatis matrimonii causa sub consueto dubio huic sacro Tribunali proponitur: *An de matrimonii nullitate constet in casu.*

IN IURE.—Matrimonium, etiamsi ad Sacramenti dignitatem a Christo Domino nostro elevatum sit, nihilominus contractus naturam non immutavit. Et cum contractus sit 'duorum vel plurium in idem placitum consensus,' ut matrimonium consistat, oportet ut contrahentium consensus in idem placitum cadat, nempe in tradenda sibi mutua potestate in corpora in ordine ad proles generationem. Nil prohibet tamen de facto quominus consensus matrimonialis *sub conditione* ponatur; quo in casu matrimonii valor vel suspenditur, vel statim matri-

monium nullum est, secundum quod agatur vel de conditione proprie dicta, nempe de futuro libero contingenti, vel de praesenti vel de praeterito vel de futuro necessario agatur, quae postremae conditiones, ut notum est, conditiones improprie dictae merito appellantur (*Cod. iuris canon.*, can. 1092).

De quacumque conditione agatur, ut matrimonium vere sub conditione initum habeatur, oportet: 1°. Ut conditio luculentis argumentis probetur. Nam id generale est in omni contractu, ut protestatio unius nihil in foro externo prosit. 'Sola intentio promissoris non facit conditionem, quae, in mente unius retenta, dicitur propositum umabortivum et nihil in foro externo operatur' (Inter *recentiores*, decis. 195, § 13; cfr. decis. rotal. an. 1909, pag. 108). Id magis de matrimonio dicendum est, quod in sui favorem iuris praesumptionem habet, adeo ut quidquid contra matrimonii valorem adducitur perspicue probandum sit (can. 1014 *Codicis iur. can.*). Quod si compars dicat, in matrimonio ineundo conditionem *sine qua non* in scia parte apposuisse coram testibus, quia dolo egit—quidquid sit de huius conditionis valore in foro interno—in foro externo saltem difficilioris est probationis, cum omnes iuris praesumptiones contra eum militent qui tali modo, in scia altera parte, dolose in matrimonium consenserit. 2°. Ulterius oportet, ut vel in actu matrimonii contrahendi, vel ante matrimonii celebrationem conditio *actu positivo mentis* ponatur, nec fuerit inde revocata. Primo in casu, intentio conditionata dicitur *actualis*; altero in casu *virtualis* auditur (D'Annibale, *Summ. Theol. Mor.*, I, n. 135; Reiff., *Ius Canon.*, IV, I, n. 346 et seq.). Unde intentio conditionata, *actualis* semper requiritur, vel in actu contrahendi matrimonium, vel tempore quod matrimonii celebrationem praecesserat. Quamobrem illa intentio quae *habitualis* dicitur non sufficit, ut matrimonium sub conditione initum dicatur. Nam intentio habitualis non est nisi habitudo qua quis matrimonium non contraxisset si errorem, sub quo matrimonium contrahit, cognovisset. Talis autem conditio nullo modo consensum afficit qui absolute praestatur, alioquin quodlibet matrimonium sub errore qualitatis initum nullum esset. E contrario intentio *virtualis*, quam *actualis* intentio praecessit, quaeque non fuerit revocata, in ipsa matrimonii celebratione, perseverat (D'Annibale, *Summ. Theol. Moral.*, I, n. 135; Reiff., l. IV, t. I, n. 346 et seq.). Eñus Gasparri docet: 'Evidens est matrimonium esse nullum ex defectu consensus, si supponatur et conditionem vere ac proprie dictam *sine qua non* appositam fuisse et hanc conditionem, quae de facto deficit, non fuisse revocatam: esse nullum, inquam, in foro externo si illa duo, clare, argumentis et indicibus moralem certitudinem parientibus, probentur. . . . Omnes admittunt matrimonium esse nullum si conditio sit tantum virtualis, scilicet, quando in actu matrimonii de ea ne verbum quidem factum sit, sed apposita antea fuerit, non revocata' (*De matrimonio*, vol. II, n. 1024). Semel autem constet conditionem, intentione actuali, ante matrimonium positam fuisse, revocata non praesumitur nisi probetur; ut probat Pitonius, *Discept. Eccles.*, 52, n. 89. Nam, ut dicitur in Versalien. *Nullitatis matrimonii* 'revocatio est factum, et facta non praesumuntur sed

probantur' (*Acta Apost. Sedis*, p. 389, vol. X). 3°. Tandem considerandum est conditiones, sub quibus matrimonium iniri potest, esse aliquando *potestativas* seu *arbitrarias*, quae nempe a sola et libera voluntate pendet illius qui dando vel faciendo illas implere potest: veluti 'ducam te, si religionem christianam amplecti velis.' Qua in re bene distinguendum est inter id quod sub conditione ponitur cuique alligatur consensus vel dissensus, et eiusdem conditionis implementum. Profecto, qui consensum in matrimonio subordinat promissioni alterius partis aliquid faciendi vel praestandi, in conditione ponit *ipsam promissionem quae sincere et serio aeri fiebat animo sese obligandi*, non vero in conditione promissionis adimplementum cadit, quod est potius obligationis seu promissionis obiectum. Unde si quis, suscepta obligatione, promissionem non adimplet, matrimonium ex hoc tantum invalidum dici non potest. Quod enim altera pars voluit cuique consensum alligavit, nempe suscepto obligationis, adimpletum est, hinc matrimonium stat. Quare bene ait De Angelis (*Praelectiones*, hoc titulo, n. 7), violationem promissionis contractus valorem non inficere, aut obligationis cuius est causa. Conditio inest, ut ait sacri vinculi Defensor, in actu promissionis non in ipsius promissionis implemento. Unde si constet, compartem *fictè* promississe nullamque intentionem habuisse sese obligandi, conditio sub qua altera pars consensit, non verificaretur, et matrimonium, non verificata conditione, merito nullum renunciaretur (D'Annibale, loc. cit., n. 41). De cetero, promissione facta, sincere facta praesumitur, nisi contrarium evidenter probetur.

Nec verum est, consensum alligari non posse promissioni cuius implementum ex voluntate promittentis pendet. Nam in his adest aequivocatio. Siquidem, si promissionis implementum ita a libera voluntate promittentis penderet, ut hic nullam suscepit obligationem adimplendi quod promisit, certe, prouti nulla adest in casu obligatio, ita nulla huic obligationi non existenti alligari posset conditio. Quod si, e contrario, promittens libertatem habet non de iure sed *de facto*, non adimplendi obligationem promissione susceptam, quisque potest suum consensum huic conditioni alligare, ut nempe altera pars ad aliquid dandum vel praestandum se sincera promissione obliget.

Neque tenet comparatio inter promissiones quae ex canonum dispositione in matrimoniis mixtis exiguntur, in quibus dispensatio non conceditur nisi, praeter iustas causas, cautionem praestiterit coniux acatholicus de amovendo a coniuge catholico perversionis periculo, et uterque coniux de universa prole catholice tantum baptizanda et educanda promittat, ac moralis certitudo habeatur de cautionum implemento. Siquidem, et si pars acatholica has cautiones seu promissiones in pactum deductas et scripto exaratas non adimpleat, plenissimo quidem suo valore matrimonium consistit. Etenim, cum hae promissiones ab Ecclesia imponantur, pars catholica his promissionibus consensum matrimoniale non alligat, neque in essentialia contractus matrimonialis ingrediuntur. Quare, etiamsi pars acatholica *fictè* promittat, peccat utique, sed quia consensus alterius partis his promissionibus non subiiicitur tamquam conditioni *sine qua non*, matrimonium validum nihilo-

minus censendum erit. Secus vero dicendum quoties constet partem catholicam has promissiones petiisse tamquam conditionem sine qua matrimonium non contraheret, et simul constet partem acatholicam *ficte* promississe *ficteque* promissiones iuramento confirmasse.

IN FACTO.—Hisce prae habitis ad factum descendentes, ex actis luculenter deprehendimus :

1. Fundamentum adesse quo dña Viola rationabiliter a Rogerio Thébaut promissionem solemnem exegisset, et quidem sub conditione *sine qua non* matrimonium contraheretur, ut nempe liberum ei esset praecepta religionis catholicae servare ac filios baptizare eosque in religione catholica educare. Etenim ex toto processu constat, ipsam dñam Violam eiusque parentes principiis catholicis esse imbutos, ac religionis catholicae quam maxime observantissimos, eisque notum fuisse Rogerium et eius praesertim patrem non modo religionis catholicae praecepta negligere, sed esse catholicae religioni infensissimos. ‘Je savais—ait Viola—que Roger Thébaut ne pratiquait pas la religion catholique dans laquelle il avait été élevé.’ Item actricis mater ait : ‘Roger Thébaut n’était pas pratiquant.’ Imo, ipsa actrix Rogerium ita allocuta est : ‘Je sais que malheureusement vous ne partagez pas mes sentiments religieux : c’est pourquoi je tiens à m’entendre avec vous avant d’aller plus loin ; je suis catholique pratiquante, je veux que mes enfants soient élevés comme moi-même, et si vous ne pouvez pas me promettre de réaliser plus tard ce petit programme, je me verrai forcée de ne pas vous épouser. Je ne me marie que dans ces conditions.’ De aversione autem Rogerii Thébaut eiusque patris erga religionem catholicam, deque pietate et religiositate Violae eiusque familiae ex toto processu evidenter constat. Quamobrem quod Viola illam conditionem *sine qua non* contrahendo matrimonium cum Rogerio apposuerit, omnino rationabile videtur, ac in actis processualibus evidenter fundamentum habet.

2. Verum, RR. PP. DD. non solum animadverterunt fundamentum seu causam rationabilem exstitisse, qua talis promissio sub conditione *sine qua non* a Viola exigeretur, sed etiam manifestum esse, realiter actricem dictam conditionem apposuisse. Iam ipsa actrix in libello causae introductionis ait : ‘Monsieur Thébaut nous avait donné lieu de suspecter de sa religion. Mis en demeure sous la foi du serment qu’il me laisserait toute liberté de pratiquer ma religion et informé que j’attachais à cette promesse sérieuse et loyale la valeur de mon consentement, il ne se décida que lorsqu’il vit que la promesse était vraiment indispensable et il fit devant ma mère et moi le simulacre de cette promesse.’ A iudice interrogata Viola respondit : ‘Oui, j’ai demandé à mon futur de me promettre formellement de me laisser pratiquer librement mes devoirs religieux. Il me l’a promis, sachant d’ailleurs parfaitement que s’il ne me faisait pas cette promesse, je ne donnerais pas suite au projet de mariage. C’est dans ces conditions que nous fûmes fiancés.’ Et alibi, ut supra vidimus, a iudice interrogata Viola testatur ita se Rogerium allocutam esse : ‘Je sais que

malheureusement vous ne partagez pas mes sentiments religieux. . . . Je ne me marie que dans ces conditions. Il me promit alors de n'entraîner en rien ma liberté religieuse, il me dit que c'était une affaire entendue . . . J'avais voulu poser une *condition sine qua non* ; il l'avait acceptée. C'est pourquoi, par la suite, je n'ai senti le besoin d'un entretien seul à seul avec mon fiancé sur ce sujet.' Narrat autem Viola Rogerium eandem promissionem ex petitione matris eiusdemque actricis sponsalium tempore renovasse, ipsamque promissionem tamquam *conditionem sine qua non* praetensam fuisse. Cum enim Viola Rogerio promissionem iam factam recordata esset, mater actricis dixit : 'De quoi parlez-vous donc ? Je la mis sommairement au courant de notre conversation. Elle fit très bien comprendre à Roger Thébaut que son consentement à elle comme le mien dépendait de sa réponse (circa libertatem religiosam uxori relinquendam). *C'est à prendre ou à laisser.*' Rogerius vero respondit : 'C'est entendu, oui ; j'ai promis à Violette ; ce sera ainsi ! . . . Oui, ils seront baptisés, puisqu'il n'y a pour vous que cela qui compte.' Haec omnia, quae ab actrice dicta sunt, optime ab aliis testibus confirmantur. Etenim mater actricis deponit : 'Ma fille fit très bien comprendre à Roger Thébaut qu'elle posait une condition sans laquelle les fiançailles d'abord, le mariage ensuite ne pouvaient pas être célébrés. Roger Thébaut s'engagea alors formellement à cesser toute hostilité religieuse et par conséquent laisser sa femme libre d'accomplir les devoirs spirituels et il souscrivit dès maintenant à l'obligation de faire baptizer les enfants.' Et cum Rogerius Thébaut eandem promissionem matri actricis, hac adstante, renovaret dicens : 'C'est entendu, je l'ai promis à Violette, ils seront baptisés, puisqu'il n'y a pour vous que cela qui compte,' mater respondit : 'Oui, vous-savez que pour moi il n'y a que ceux là qui comptent : c'est la condition.' Testatur igitur Viola, se in matrimonium cum Rogerio consensisse *sub conditione sine qua non* ; haec confessio ab eius matre, sub cuius oculis matrimonium conclusum et celebratum fuit, confirmatur. In novo vero examine actrix deposuit : 'Mon fiancé savait très bien que par sa réponse il concluait un pacte avec moi. Il savait très bien, il avait très bien compris la condition que je lui avais posée en termes équivalents : ou il me laisserait libre d'accomplir tous mes devoirs religieux et de faire baptizer mes enfants et dans ce cas je consentirais au mariage, ou bien il ne s'engagerait pas à observer cette condition et dans ce cas je refuserais formellement à contracter mariage avec lui.' Itemque mater actricis testatur : 'La fiancée n'aurait certainement pas accepté d'épouser le jeune homme, si le jeune homme ne s'était pas engagé à abandonner sa mentalité anticatholique, à laisser sa femme accomplir ses devoirs religieux et par conséquent à faire baptizer les enfants. C'était d'ailleurs une *condition sine qua non* au consentement de ma fille.' Pater actricis sub iuramento deponit : 'Nous voulions obtenir de ce dernier la promesse qu'il modifierait sa mentalité antireligieuse et par conséquent qu'il laisserait sa femme libre de faire ses devoirs et de baptizer les enfants. Ce fut l'objet d'une condition portée très nettement par ma fille et acceptée de même par Roger Thébaut. Cette condition fut renou-

velée encore par ma femme et acceptée une fois encore par Roger Thébaut avant le mariage. . . . Violette a exigé de son futur la promesse qu'elle aurait toute liberté de pratiquer sa religion. . . . Cette promesse était certainement gravé dans sa pensée, et elle aurait rompu les pourparlers si elle ne l'avait pas obtenue.' Item dña Faivre de Costa inquit : ' Mon amie (nempe Viola) tenait essentiellement à cette promesse et si elle ne l'avait pas obtenue, elle n'aurait jamais consenti à épouser Monsieur Thébaut, et celui-ci à certainement compris que s'il ne s'engageait pas comme on lui demandait, il n'obtiendrait pas la main de Violette Pemjean ; c'est pourquoi il a promis.' Et testis addit : ' La promesse en question a été renouvelée environ huit mois avant le mariage devant Madame Pemjean, au cours d'un voyage en Angleterre, pendant l'été.' Eadem habet testis Monier, quae de facta promissione tempore non suspecto ab ipsa actrice notitiam habuit : ' Violette me l'a dit elle-même au moment même où la chose venait de se faire, lors d'un voyage qui m'avait amenée à Paris. La promesse a été renouvelée devant Mad. Pemjean ; Mr Thébaut a dû comprendre que a sa fiancée tenait effectivement à ce point et que son consentement au mariage y était subordonné.' Etiam si Rogerius in hac causa contumax sit eiusque testimonium desit, tamen eius pater quae ab actrice alisque testibus relatis prolata sunt plene confirmat. Ait enim : ' Mon fils m'a dit que sa fiancée Mlle Violette Pemjean avait de lui exigé la promesse qu'il la laisserait entièrement libre de pratiquer la religion catholique et d'élever les enfants à naître de son union dans la même religion. Je sais aussi, pour l'avoir entendu dire par mon fils, que la fiancée avait fait une condition *sine qua non* de cette concession ; liberté de pratiquer sa religion et d'élever les enfants dans la foi catholique. . . . Je puis affirmer que mon fils a accepté la condition.' De veritate autem huius testis nobis fidem facit dñus Camillus Mellet Vieville, qui refert patrem Rogerii Thébaut *tempore non suspecto* ei dixisse quae coram iudice ecclesiastico ipse refert, nempe : ' Qu'il était très surpris que son fils, ayant les mêmes principes que lui, ait pu promettre de respecter les pratiques religieuses de sa femme et de présenter ses enfants au baptême. Cette promesse cependant avait été faite : le père le savait, mais il était certain pour lui que cette promesse n'avait été posée sérieusement. Elle était de celles que l'on fait en pareil cas avec la conviction qu'il n'en sera jamais question plus tard.' Ceterum hic testis a suo parcho exhibetur tamquam ' un chrétien fidèle, honorable et digne de croyance.' Neque hic testis, tenore can. 1767, § 3, n. 1, repellendus est, quia ab eo, tamquam advocato, ante causae introductionem actrix consilium petiit ; nam nec in hoc iudicio neque in alio partibus assistit vel astitit, sed refert quae a partibus tempore non suspecto acceptit.

Cum res ita se habeant, visum est RR. PP. DD. satis constare Violam Pemjean matrimonium cum Rogerio Thébaut contraxisse sub praedicta *conditione sine qua* matrimonium *non* contraheretur.

3. De cetero, non modo Viola praedictam promissionem a Rogerio voluit, uti *conditionem sine qua non* contrahendi matrimonii, sed ex

toto processu minime constat a posita conditione ipsam unquam recessisse. Ad quod probandum praesto est tum argumentum *negativum*, tum argumentum *positivum*. Etenim, ut supra innuimus, conditio semel ante matrimonium posita perseverare praesumitur, nisi contrarium probetur. Nam revocatio est factum, et facta non praesumuntur, sed probantur (cfr. *Acta Apost. Sedis*, vol. X, pag. 389). Imo *positive* constat, nunquam Violam a posita conditione recessisse. 'Je ne me suis jamais resignée—ait actrix—mais j'espérais que avec le temps et la douceur je l'amènerai à de meilleurs sentiments.' Itemque dña Dumesnil inquit : 'J'ai à plusieurs reprises été témoin des scènes entre Mr et Mad. Thébaut : ces scènes étaient violentes. . . . J'ai entendu plusieurs fois Madame rappeler à Monsieur la promesse qu'il avait faite de lui laisser à elle la liberté religieuse et de faire baptizer les enfants. Monsieur n'a jamais contesté cette promesse.' Concinunt tum alii testes, uti dña Faivre de Costa, tum dñus Thébaut, Rogerii Pater, qui testatur : 'Je dois dire que la question religieuse était entre les époux une occasion de heurts incessants et de querelles continuelles. Je sais qu'il y a eu tout le temps des querelles à l'occasion de la question religieuse, et c'est cela qui a amené la rupture.'

4. Iam (ad ea quae supra de iure disserentes notavimus), in conditione in casu non veniebat eiusdem promissionis adimplementum, sed ipsa promissio relinquendi Violam liberam in religione catholica exercenda. Profecto, semel ac promissio facta est, serio et sincere facta praesumitur, et si postea non adimpletur, id ex voluntatis mutatione criminosa reputandum est. Etiam si non facilis probationis sit evincere, promissionem non serio et sincere, sed *ficte* positam fuisse, tamen RR. PP. DD. in casu animadverterunt satis constare Rogerium Thébaut *ficte et dolose* promissionem ab eo petitam fecisse, ad sibi captandum Violae consensum in matrimonium. Quod luculenter probatur si quae *antecesserunt*, quae *comitata sunt*, quaeque *subsecuta sunt* considerentur. Re quidem vera, cum Rogerius Thébaut comperit sponsam eiusque familiam Ecclesiae catholicae praecepta religiosissime servare ac ab eo exigere solemnem promissionem de libera relinquenda uxore in exercitio religionis catholicae, ne puellam optatam amitteret, non modo solemniter quod ab eo petebatur promisit, sed etiam ipse, religionis catholicae acerrimus inimicus, Ecclesiae catholicae praeceptis obsequentem se ostendebat. Ideoque ad Missam audiendam sponsam eiusque matrem comitabatur, die veneris legem abstinentiae servabat, obsequio res religiosas omnino prosequabatur. Sed cum civile, ut dicitur, matrimonium celebratum est, ac proinde securitatem habuit optatam sponsam non esse amissurum, suam hostilitatem contra religionem catholicam, non obstante facta promissione, manifestavit. 'Le mariage civil accompli le jeune homme se révéla tout autre. Il alla même jusqu'à enlever les tableaux religieux que j'avais accrochés dans la chambre moi-même il fit ce décrichage entre le mariage civil et le mariage religieux.' In ipso vero actu celebrationis matrimonii religiosi eandem hostilitatem contra religionem catholicam ostendit. Actrix deponit : 'Comme je lisais attentivement ma Messe, il me fit cette réflexion : que c'était stupide

de lire ces choses. Aux questions que lui posa le prêtre qui bénissait le mariage, Roger Thébaut commença par ne pas répondre, et le prêtre fut obligé de réitérer la question. J'ai eu depuis l'impression qu'il ne voulait pas alors s'engager à ce qu'on demandait. Ne voulant pas que son alliance soit bénie, il en mit une autre dans le plateau et porta ensuite celle qu'il avait gardé dans sa poche.' Quae omnia actrix tempore non suspecto retulit dño Faivre de Costa, et etiam a matre actricis conframantur, et a dña Mathilde de Costa.

Post vero initum matrimonium religiosum Rogerii Thébaut hostilitas erga religionem catholicam nullum habuit limitem. Cum enim Viola tabulas pictas religiosas, quae eius cubiculum ornabant, quasque, ut diximus, Rogerius abstulit, ad pristinum locum restituere vellet, Rogerius quominus hoc fieret acerrime restitit. Prima die Dominica impedivit quominus Viola praecepto audiendi Missam satisfaceret. Omnia obiecta religiosa a sua uxore abstulit, atque eo progressus est ut feria sexta maioris hebdomadae Violam ad carnes vescendas cogeret. Cum uxor ad ecclesiam accesserit ratione paschalis praecepti adimplendi, contumeliis atrocibus uxorem obtruit : 'et me prévint que, si je retour-nais me confesser, il mettrait une balle dans la tête de mon confesseur. Il avait toujours un revolver sur lui et me dit qu'il tuerait ma mère si elle continuait à remplir ses devoirs religieux malgré la défense de mon mari.' Cum uxor videretur praegnans, Rogerius declaravit 'qu'il ne voulait pas que l'enfant soit baptisé, il aimerait mieux le voir mort que baptisé.' Haec omnia plene confirmantur a patre actricis qui addit : 'Les scènes se sont multipliées, les menaces de revolver aussi ; et comme ma femme était visée par ses menaces, j'ai eu le devoir d'informer la police.' Item alii testes unanimi testimonio deponunt, uti Mathildes Faivre de Costa, Camillus Mollet Vieville, qui ab actrice tempore non suspecto notitiam habuerunt. Sed praestat testimonium referre Ernestae Dumesnil, quae testis est ocularis et de scientia propria, cum fuerit apud coniuges Thébaut ancilla. Iam haec inquit : 'J'ai à plusieurs reprises été témoin des scènes entre Monsieur et Madame Thébaut ; ces scènes étaient violentes : madame avait peur, alors elle m'appellait et c'est comme cela que j'ai entendu plusieurs fois Madame rappeler à Monsieur la promesse qu'il avait faite de lui laisser à elle la liberté religieuse et de faire baptizer les enfants. Monsieur n'a jamais contesté cette promesse et je crois que si cette promesse n'avait été faite, Madame ne se serait pas mariée, car elle était très attachée à la religion ; elle voulait aller à la Messe, elle voulait m'y faire aller, mais Monsieur me donnait exprès du travail pour m'empêcher.' Ex dictis igitur videtur morali certitudine constare Rogerium Thébaut *ficte promisisse* quod ab eo sub conditione *sine qua non* Viola postulabat.

Nec obstat matrimonium fuisse consummatum. Nam : 1) apud omnes acceptatum est copulam carnalem per se actum esse libidinis, non vero consensus (Wernz, *Ius matrimoniale*, n. 98, III) ; 2) semel ac promissio facta est, non ficta sed serio facta praesumitur, et donec de contrario non constaret, matrimonii consummationem uxor negare non poterat. Quare non videtur mere dicendum cum patrono actricis, 'qui conditio-

nem posuit cuique consensum suum sub conditione *sine qua non* alligaverit, dum cognoscit conditionem non fuisse adimpletam, matrimonium esse nullum ignorare.' Sed difficultas in eo est, an et quando de non impleta conditione constet. Cum conditio consisteret in susceptione obligationis ex parte Rogerii, non statim nec ita facile Violae constare poterat, Rogerium *ficte* promississe, et in hoc dubio ipsa, cum sub potestate viri esset, matrimonium consummavit. Copula carnalis proinde nullo modo significat Violam a conditione posita recessisse. 3) De cetero, non obstante copulae consummatione, testibus affirmantibus, ipsa cum marito usque ad illum deserendum conquesta est de conditione non adimpleta, nec alia ratio separationis ex processu apparet. Neque dubium oriri potest an matrimonium in casu initum fuerit non sub conditione *sine qua non*, sed *sub modo*. Nam modus, ut aiunt Engel, Reiffenstuel et passim omnes Doctores, 'est adiectio alicuius oneris ad quod *post* perfectum contractum contrahentem *obligare* volumus.' Sed ex dictis patet Violam Pemjean suum consensum praefatae conditioni *sine qua non* alligasse.

Nec contra valet quod sacri vinculi Defensor animadvertit, nempe actricem eiusque matrem sibi contradixisse, quia cum in prima depositione de promissione loquuntur, in postrema asserunt se illam promissionem, sub conditione *sine qua non*, non petiisse. Nam etiam in supplici libello causae introductionis actrix inquit: 'J'attachais à cette promesse sérieuse et loyale la valeur de mon consentement.' Item mater in prima depositione dixerat: 'Ma fille aurait repoussé le jeune homme s'il avait refusé cet engagement.' Nulla igitur contradictio invenitur inter depositiones filiae et matris in casu.

Hisce omnibus in iure et in facto rite diligenterque perpensis, Nos infrascripti Auditores de turno, pro tribunali sedentes, Christi nomine invocato, et solum Deum prae oculis habentes, decernimus, et ad propositum dubium respondemus: *Affirmative, seu de matrimonii nullitate constare in casu.*

Ita decernimus, declaramus, pronunciamus et sententiamus, mandantes Ordinariis locorum et ministris tribunalium ad quos spectat, ut executioni mandent hanc nostram definitivam sententiam, ad tramitem tit. XVII libri IV Codicis iur. can., et adversus reluctantes procedant ad normam sacrorum canonum, et praesertim cap. 3 sess. XXV *de ref. Conc. Trid.* et can. 1924 Cod. iur. can., iis adhibitis executivis et coercitivis mediis, quae magis efficacia et opportuna pro rerum adiunctis exstitura sint.

Romae, in Sede Tribunalis S. R. Rotae, die 11 augusti 1921.

FRANCISCUS SOLIERI, *Ponens.*
IOSEPHUS FLORCZAK.
IACOBUS SOLE.

Ex Cancellaria, 26 novembris 1921.

T. Tani, *Notarius.*

REVIEWS AND NOTES

THE EPISTLE TO THE HEBREWS. Translation and Brief Commentary.
By Rev. P. Boylan, M.A.

THIS work, as Dr. Boylan tells us, has been printed for the use of the Scripture Class, St. Patrick's College, Maynooth. We trust that its use will not be limited to the class for which it is primarily intended. No reliable Catholic commentary in English on the Epistle exists, and this fact alone would make the work a welcome addition to the library of every priest. By his translation of the Psalms Dr. Boylan proved himself master of a graceful, sympathetic, and exact style. His accurate and scholarly knowledge of Oriental Life and Literature enabled him to bring out to the full the rich store of thought and allusion enshrined in his text. Further, he has the gift of simple and clear exposition which makes his work delightful reading to the novice or the uninitiated. In his brief Introduction to 'Hebrews' he sketches for us the general argument of the Epistle and discusses its authorship, the time and place of composition, and the destination of the Epistle. The long debated question of the authorship Dr. Boylan sums up as follows: 'Though the traditional Catholic view makes St. Paul the author of Hebrews, the sense in which that authorship is to be understood has been from the days of Origen a matter of dispute. In modern times there is a strong tendency among Catholic writers to ascribe to St. Paul the conception and planning of the Epistle and to explain the obvious differences of this Epistle from the other Pauline letters in language, style, and thought by ascribing the literary form and tone of the letter to the work of some friend or associate of the Apostle—to whom St. Paul entrusted the literary shaping of the Epistle. The names of St. Luke, Barnabas, Clement of Rome, Apollos, and Aristion have been mentioned in this connection. Modern Protestant criticism is unwilling to accept the Pauline authorship of the Epistle in any sense. Yet even among liberal Protestants there is a tendency to look for the author of the Epistle among the friends of St. Paul. Critics have put forward as sole authors of "Hebrews" Barnabas, Apollos, the Deacon Philip, Aquila, and Priscilla, etc.' Dr. Boylan refers to the decree of the Biblical Commission (June 24, 1914), which teaches that 'Hebrews' is to be included among the genuine Canonical letters of St. Paul, and which answers in the *negative* the question: 'Utrum Paulus Apostolus ita hujus Epistolae auctor censendus sit ut affirmari debeat ipsum eam totam non solum Spiritu Sancto concepisse et expressisse, rerum etiam ea forma donasse qua prostat.' Thus the *concupere* and *exprimere* are ascribed to St. Paul,

but the formal arrangement of the Epistle may be due to someone else. We are glad to note that Dr. Boylan intends to treat the important critical and theological problems connected with 'Hebrews' in a larger work. His handling of his subject, within the limits of the present one, makes us eager for its publication.

P.

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